

HOUSE OF REPRESENTATIVES—Tuesday, April 21, 1987

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In this our prayer, O God, we reach out to those we love and for whom we care. We implore Your good spirit to accompany our families, friends, and colleagues along life's way, to nurture them and fill them with Your spirit of grace and health and protection. May not Your benediction depart from any one of us but remain with us to guide and guard us all our days. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill and concurrent resolution of the House of the following title:

H.R. 558. An act to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children; and

H. Con. Res. 27. Concurrent resolution expressing the opposition of Congress to proposals in the Budget to reduce the capacity of the Veterans' Administration to provide health care to eligible veterans.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 85. An act to amend the Powerplant and Industrial Fuel Use Act of 1978 to repeal the end use constraints on natural gas, and to amend the Natural Gas Policy Act of 1978 to repeal the incremental pricing requirements;

S. 659. An act to establish agricultural aid and trade missions to assist foreign countries to participate in U.S. agricultural aid and trade programs, and for other purposes;

S. 677. An act to amend the Federal Trade Commission Act to provide authorization of appropriations, and for other purposes; and

S. 903. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code.

The message also announced that pursuant to the provisions of Public Law 94-304 and Public Law 99-7, the Chair on behalf of the Vice President appointed Mr. LAUTENBERG and Mr.

REID as members of the Commission on Security and Cooperation in Europe.

The message also announced that pursuant to Public Law 98-524, the Chair on behalf of the majority leader, appointed Mr. KENNEDY as a member of the Executive Committee of the National Summit Conference on Education.

The message also announced that pursuant to the provisions of Public Law 99-498, the Chair on behalf of the President pro tempore appointed Mr. Dallas Martin of Washington, DC, as a member of the Advisory Committee on Student Financial Assistance.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
April 10, 1987.

HON. JIM WRIGHT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received at 9:40 a.m. on Friday, April 10, 1987, the following messages from the Secretary of the Senate:

(1) That the Senate passed H.J. Res. 119 without amendment; and

(2) That the Senate passed H. Con. Res. 86 without amendment.

With great respect, I am,
Sincerely yours,

DONALD K. ANDERSON,
Clerk, House of Representatives.
By DALLAS L. DENDY, Jr.,
Assistant to the Clerk.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 and clause 7 of rule I, the Speaker pro tempore signed the following enrolled bill and joint resolution on Wednesday, April 15, 1987:

H.R. 1123. An act to amend the Food Security Act of 1985 to extend the date for submitting the report required by the National Commission on Dairy Policy; and

H.J. Res. 119. Joint resolution designating the week of April 19, 1987, through April 25, 1987, as "National Minority Cancer Awareness Week."

ANNOUNCEMENT OF THE DEATH OF GEN. MAXWELL TAYLOR

(Mr. GIBBONS asked and was given permission to address the House for 1

minute and to revise and extend his remarks, and include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, it is with a great deal of sadness that I address the House now to announce the death of Gen. Maxwell Taylor.

I was privileged to serve under General Taylor in World War II, and I tried to keep up my contact with him in the postwar years. I most recently saw him when he was a visitor here in Congress some 4 or 5 months ago in the Rayburn Building.

It was always a privilege to work with a man like General Taylor. America has lost a great son, a great leader, a great intellectual mind, and a wonderful person. My sympathies go to his family and to those close to him.

Mr. Speaker, I include at this point an article from the Washington Post that summarizes the life of this great gentleman, as follows:

GEN. MAXWELL TAYLOR DIES HERE AT AGE 85—WORLD WAR II HERO ADVISED PRESIDENTS DURING VIETNAM WAR

(By J.Y. Smith)

Gen. Maxwell D. Taylor, 85, a paratrooper hero in World War II and a principal adviser to two administrations during the massive American buildup in Vietnam, died Sunday at Walter Reed Army Medical Center. He had been hospitalized since January with amyotrophic lateral sclerosis, which is also known as Lou Gehrig's disease.

Taylor capped a brilliant military career by serving as chief of staff of the Army from 1955 to 1959, when he retired. In that year he published "The Uncertain Trumpet," a forthright criticism of the U.S. policy of relying on the nuclear threat to deter communism. Instead, he argued, the country should build up conventional forces so that it could launch a "flexible response" to military challenges.

This idea appealed to President Kennedy, who in 1961 brought Taylor back into government as his military representative. From 1962 to 1964, he was chairman of the Joint Chiefs of Staff and from 1964 to 1965 he served President Johnson as U.S. ambassador in Saigon. For the next four years, Taylor was a special consultant to the president and a member and chairman of the Foreign Intelligence Advisory Board. Taylor thus took part in the line of decisions that began in the Kennedy administration and led to the massive U.S. intervention in Vietnam with conventional forces in 1965 and subsequent years. He believed that the Vietcong and North Vietnamese could be stopped if sufficient American troops were sent. Although he expressed reservations when the buildup began, he continued to support an aggressive policy until 1968, when Johnson himself decided that the war could not be won and that the United States must disengage.

It was another six years—and many thousands of casualties—before the U.S. pres-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ence in Vietnam ended. Helicopters plucked the last to leave from the roof of the embassy in Saigon as refugees battered at the gates and communist forces took over the city.

Taylor's assessment of the American effort is quoted by Stanley Karnow in his book, "Vietnam, a History":

"First, we didn't know ourselves. We thought we were going into another Korean War, but this was a different country. Secondly, we didn't know our South Vietnamese allies. We never understood them, and that was another surprise. And we knew even less about North Vietnam. Who was Ho Chi Minh? Nobody really knew. So, until we know the enemy and know our allies and know ourselves, we'd better keep out of this dirty kind of business. It's very dangerous."

The Army yesterday ordered flags flown at half staff at all its installations until after Taylor is buried Thursday at Arlington National Cemetery.

Defense Secretary Caspar W. Weinberger issued a statement that the general would be remembered at "one of the great military men in American history" and that he "epitomized what it means to be a soldier, a diplomat and a scholar."

Sen. Edward M. Kennedy (D-Mass.) said, "America has lost one of the greatest soldier-statesmen in its history, and the Kennedy family has lost one of its closest and dearest friends. Taylor was that rare and gifted leader in the nuclear age who also understood the importance of nuclear arms control. As chairman of the Joint Chiefs of Staff, his support made the Nuclear Test Ban Treaty of 1963 possible. . . ."

The second phase of Taylor's career—the Vietnam years—was fashioned in a time of national agony. The first part of his life was simpler although it was just as dangerous. Slender, handsome and athletic, the general was the very picture of a soldier. From the time he graduated No. 4 in the class of 1922 at the Military Academy at West Point, N.Y., until he retired as chief of staff in 1959, he gave his best to the Army and he often was seen as the best that the service had to offer.

Maxwell Davenport Taylor was born on Aug. 26, 1901, in Keytesville, Mo. He attended Kansas City Junior college before receiving an appointment as a cadet at West Point. Like other top graduates, he went into the Corps of Engineers when he left the academy, but he transferred to the field artillery in 1926.

Then as now, the Army offered more than ordinary soldiering for those capable of taking advantage of it. In the late 1920s, Taylor went to France to study French and then to West Point as a language instructor. In the 1930s, with Japan and China at war, he was sent to Tokyo to study Japanese and the Japanese army and to Peking as an assistant military attaché. He also graduated from the artillery school, the Army War College and the Command and General Staff School.

When this country entered World War II, Taylor had a staff position in Washington. But in 1942 he was ordered to help form the 82nd Airborne Division, the first of its kind in the Army. He commanded the division's artillery in Sicily and Italy and then, in September 1943, he undertook a spectacular secret mission to Rome.

The Italian capital was under German occupation at that time. Taylor's orders were to contact Italian leaders who had surrendered the country to the Allies and to assess the chances of airborne troops parachuting

onto the airfields around Rome. British and Italian ships landed him behind the enemy lines. He found that the German presence in the Eternal City was far heavier than expected and this led to the airborne operation being canceled.

In his memoir, "Crusade in Europe," Gen. Dwight D. Eisenhower, the supreme allied commander in Europe, wrote that the risks Taylor ran "were greater than I asked any other agent or emissary to undertake during the war—he carried weighty responsibilities and discharged them with unerring judgment, and every minute was in imminent danger of discovery and death."

After brief service on the Allied Control Commission for Italy, Taylor was ordered to England to take command of the 101st Airborne Division. He led it in parachuting into Normandy on D-Day, June 6, 1944. He also led it in the "Market Garden" operation, the unsuccessful British-led effort to take the Rhine at Arnhem in Holland.

In December 1944, the 101st was heavily engaged in the Battle of the Bulge. Taylor was in the United States at the time. While he was absent, his second-in-command, Gen. Anthony C. McAuliffe, was asked by the Germans to surrender his strong point at Bastogne and he made this famous reply: "Nuts!" Taylor returned while the battle was still raging and led the division for the rest of the war.

There followed a tour as superintendent of West Point, one of the most prized assignments in the Army. In 1949, he was named deputy chief of staff of U.S. forces in Europe. This was followed by command of the U.S. military government in Berlin. This was the bitter period of the Soviet blockade of land access to the former German capital and the Allied effort to supply the city by air.

In 1951, Taylor was named deputy chief of staff of the Army. In 1953, he returned to war as commanding general of the Eighth Army in Korea. He held that post through the signing of the armistice in July 1953. He later commanded all U.S. forces in the Far East and then all United Nations forces in the area. His next job was as chief of staff of the Army.

Taylor's military decorations include the Distinguished Service Cross, the Silver Star with Oak Leaf Cluster, the Distinguished Service Medal with Oak Leaf Cluster, the Bronze Star and the Purple Heart as well as numerous foreign honors.

In retirement, Taylor lived in Washington. He wrote frequently on public affairs, and his articles often appeared in *The Washington Post*. In addition to "The Uncertain Trumpet," his books include "Responsibility and Response" (1967) and "Swords and Plowshares" (1972).

Survivors include his wife, the former Lydia Gardner Happer, whom he married in 1925, of Washington; two sons, John Maxwell Taylor of McLean and Thomas Happer Taylor of Berkeley, Calif., and three grandchildren.

1987: YEAR OF THE BREWER

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, in the spring, a Washington Senator's or Congressman's heart turns to the budget and tax cuts and trade. But on Capitol Hill these days, required read-

ing is not the CONGRESSIONAL RECORD but the sports page because today the Milwaukee Brewers go after a record 14 straight season wins. "13 and 0 and let's go!" is our battle cry. It is a chant heard from bellhops to bank presidents.

The Brewer pitching staff is as stingy as an OMB accountant at budget time. The booming bats of Deer, Braggs, Molitor, and Yount maintain a balance of power second to none. And when I think of the strategic defense initiative, I think of the sure hands of shortstop Dale Sveum and second baseman Jim Gantner.

Only time will tell how long the Brewers can maintain this red-hot winning streak. But they have earned our applause for their remarkable winning streak.

Mr. Speaker, today the Brewers are the pride of Wisconsin and the envy of the baseball world, and that is as it should be.

A RESETTLEMENT IN EL SALVADOR

(Mr. McCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOLLUM. Mr. Speaker, I just returned from a fact-finding trip to El Salvador this weekend, and I would like to bring to the attention of my colleagues the results of some tremendous humanitarian efforts by a few folks that I had the occasion to speak with when I was down there.

First of all, I want to commend my colleague, the gentleman from Virginia, Mr. FRANK WOLF, for his continued concern for the well-being of the civilian population in El Salvador. It is because he brought to the attention of this House and our Government the problems with the land mines that have blown off legs and arms of many of the civilians in that country that we now see operational a program for prosthesis in the next 60 days or so, which will mean 30 young people or children in that country will have arms and legs they would not otherwise have had. I think he deserves commendation, and so does AID and our Veterans' Administration for their work.

I also want to commend two folks from Volusia County, FL, Dr. Kenneth D. Wells and his wife, Ruth. They put funds and support into a town called Suchitoto in El Salvador that is now being resettled, a town in the guerrilla stronghold, and they allowed by their compassion and their interest for the town to be repainted, a town that was the battle cry not too long ago, that had bullet-riddled walls. And in addition to the paint, they have four big tractor-trailers and they use educational materials, teaching the civilian

population that is returning to that town a lot of the things they would not otherwise have an opportunity to learn.

Mr. Speaker, I think Dr. Wells and his wife and the gentleman from Virginia [Mr. WOLF] deserve our applause, and it is a great privilege to be able to report to our colleagues on these humanitarian efforts.

BAHAMAS HOLDS ANTIDRUG OPERATIVES

(Mr. SMITH of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Florida. Mr. Speaker, as far as I know, the Government of the Bahamas continues to hold in prison two American pilots working under cover for the DEA.

□ 1210

Mr. Speaker, if this action constitutes cooperation by the Bahamian Government, is it any wonder that resolutions disapproved those certifications were introduced in this Congress? If the Prime Minister and the Attorney General of the Bahamas want to show real cooperation, they should release these DEA operatives immediately. Failure to do so benefits only the drug traffickers and their cronies. Failure to do so makes a mockery of the certification process.

Second, Mr. Speaker, I heard on the radio this morning that our Government has just given approval for a shipment of hardware and software computers from the Digital Equipment Co. to be shipped to Iran. Over 1 million dollars' worth of high technology, American know-how shipped to Iran. Mr. Speaker, this is an absolute disgrace. That country should be getting absolutely nothing from the United States of America.

I urge this administration to review that approval.

BEDROCK FAMILY ISSUES: FAMILY LEAVE, CHILD SUPPORT, HOME HEALTH CARE

(Mrs. ROUKEMA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, I rise today to remind the House that Mother's Day is May 10. Because, our mothers are a foundation of our families, it is entirely appropriate to use these 3 weeks to examine the condition of the American family.

It's no secret. Family life in America is under stress and strain from economic, social, and cultural pressures leading to some very disturbing trends. We are seeing a sharp jump in the number of families that need the paychecks of both spouses just to get by.

Drug dependency, alcoholism, and suicide are more commonplace than ever. The number of children living in poverty is higher than ever.

Clearly, families need help to cope with the stresses of contemporary society. I have introduced legislation that directly relates to what I view as bedrock family issues. The Family and Medical Leave Job Security Act would protect families when their situation requires an unpaid leave from work. The Child Support Enforcement Improvement Act takes aim at deadbeats who neglect their financial obligations to their children. And the Home Health Reform Act expands a vital program for our sick elderly.

At the Federal level, we are limited in what we can do. However, here are three areas where Congress can strengthen the heart of our society—the family.

SPEAKER WRIGHT'S MOSCOW CONFERENCE A SUCCESS

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, it was my privilege to be among 20 Members of the House of Representatives to visit the Soviet Union last week for 6 days. We were in Kiev and Moscow from Monday, April 13, through last Saturday.

Our delegation was headed by our House Speaker, JIM WRIGHT of Fort Worth, TX.

In Moscow, our delegation met with Soviet General Secretary Mikhail Gorbachev, the Communist Party's No. 2 man, Yegor Ligachev, the Soviet President Andrei Gromyko, and Foreign Minister Eduard Shevardnadze. These Soviet officials met with us for more than 2 hours each. As a result of these meetings in Moscow, and as a result of the meetings held just before we arrived led by Secretary of State George Shultz, the Members of our congressional delegation, both Democrats and Republicans, sincerely believe that we now have the best chance for an arms control agreement with the Soviet Union on a verifiable basis at any time since World War II.

The American people can be very grateful to and proud of our tremendous House Speaker, JIM WRIGHT.

House Speaker JIM WRIGHT's administrative assistant Marshall Lynam, and the chief counsel of our House Foreign Affairs Committee, Spencer Oliver, who were an efficient advance team for us before we arrived in the Soviet Union, can be highly complimented by the American people for what they have accomplished during the last few weeks.

JIM WRIGHT, our House Speaker, articulate, personable, intelligent, yet warm and witty, as observed by the

Soviets. Mikhail Gorbachev, also articulate, personable, intelligent, yet warm and witty, as we from the United States noted during our visit with him for more than 2 hours.

The two men, House Speaker JIM WRIGHT and Soviet leader Mikhail Gorbachev, obviously enjoyed good rapport and mixed in an extremely good way. The two became friends.

Let us hope that the efforts of our House Speaker and those Members of Congress who had the privilege of accompanying him to the Soviet Union can be beneficial and truly historic in nature and lead us to spending less money in the Soviet Union and the United States for arms and more for programs that help the people of these two world superpowers.

GAIN NO BASE GAINS

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, according to a report in the Wall Street Journal the dollar fell sharply, and the United States had to intervene heavily to support it in the foreign exchange markets, only seconds after Trade Representative Clayton Yeutter told a Senate panel that a further decline in its value would be welcome as it would help cut the trade deficit.

It is too early, however, to congratulate ourselves on our luck that the wishbone always breaks in favor of our Treasury and trade officials. Instead, we should reflect upon the ancient wisdom, expressed by the Greek poet Hesiod in his poem "Works and Days" 2,700 years ago:

Gain no base gains;

Base gains are the same as losses.

Mr. Speaker, when will our somnambulist officials wake up and realize that they have been pursuing base gains, and reaping real losses for the Nation, as they continue to undermine the value of the dollar?

REAPPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore (Mr. GIBBONS). Without objection, pursuant to the provisions of 15 U.S.C. 1024(a), the Chair reappoints the gentleman from California, Mr. HAWKINS, to the Joint Economic Committee, to rank after the gentleman from Indiana, Mr. HAMILTON.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule

I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, April 22, 1987.

YSLETA DEL SUR PUEBLO AND ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS RESTORATION ACT

Mr. UDALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 318) to provide for the restoration of Federal recognition to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas, and for other purposes, as amended.

The Clerk read as follows:

H.R. 318

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act".

SEC. 2. REGULATIONS.

The Secretary of the Interior or his designated representative may promulgate such regulations as may be necessary to carry out the provisions of this Act.

TITLE I—YSLETA DEL SUR PUEBLO RESTORATION

SEC. 101. DEFINITIONS.

For purposes of this title—

(1) the term "tribe" means the Ysleta del Sur Pueblo (as so designated by section 102);

(2) the term "Secretary" means the Secretary of the Interior or his designated representative;

(3) the term "reservation" means lands within El Paso and Hudspeth Counties, Texas—

(A) held by the tribe on the date of the enactment of this title;

(B) held in trust by the State or by the Texas Indian Commission for the benefit of the tribe on such date;

(C) held in trust for the benefit of the tribe by the Secretary under the plan developed pursuant to section 105(g); and

(D) subsequently acquired and held in trust by the Secretary for the benefit of the tribe.

(4) the term "State" means the State of Texas;

(5) the term "Tribal Council" means the governing body of the tribe as recognized by the Texas Indian Commission on the date of enactment of this Act, and such tribal council's successors; and

(6) the term "Tiwa Indian Act" means the Act entitled "an Act relating to the Tiwa Indians of Texas," and approved April 12, 1968 (82 Stat. 93).

SEC. 102. REDESIGNATION OF TRIBE.

The Indians designated as the Tiwa Indians of Ysleta, Texas, by the Tiwa Indians Act shall, on and after the date of the enactment of this title, be known and designated as the Ysleta del Sur Pueblo. Any reference in any law, map, regulation, document, record, or other paper of the United States to the Tiwa Indians of Ysleta, Texas,

shall be deemed to be a reference to the Ysleta del Sur Pueblo.

SEC. 103. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND BENEFITS.

(A) **FEDERAL RECOGNITION.**—Federal recognition of the tribe and of the trust relationship between the United States and the tribe is hereby restored. The Act of June 18, 1934 (48 Stat. 984), as amended, and all laws and rules of law of the United States of general application to Indians, to nations, tribes, or bands of Indians, or to Indian reservations which are not inconsistent with any specific provision contained in this title shall apply to the members of the tribe, the tribe, and the reservation.

(b) **RESTORATION OF RIGHTS AND PRIVILEGES.**—All rights and privileges of the tribe and members of the tribe under any Federal treaty, statute, Executive order, agreement, or under any other authority of the United States which may have been diminished or lost under the Tiwa Indians Act are hereby restored.

(c) **FEDERAL SERVICES AND BENEFITS.**—Notwithstanding any other provision of law, the tribe and the members of the tribe shall be eligible, on and after the date of the enactment of this title, for all benefits and services furnished to federally recognized Indian tribes.

(d) **EFFECT ON PROPERTY RIGHTS AND OTHER OBLIGATIONS.**—Except as otherwise specifically provided in this title, the enactment of this title shall not affect any property right or obligation or any contractual right or obligation in existence before the date of the enactment of this title or any obligation for taxes levied before such date.

SEC. 104. STATE AND TRIBAL AUTHORITY.

(a) **STATE AUTHORITY.**—Nothing in this Act shall affect the power of the State of Texas to enact special legislation benefiting the tribe, and the State is authorized to perform any services benefiting the tribe that are not inconsistent with the provisions of this Act.

(b) **TRIBAL AUTHORITY.**—The Tribal Council shall represent the tribe and its members in the implementation of this title and shall have full authority and capacity—

(1) to enter into contracts, grant agreements, and other arrangements with any Federal department or agency, and

(2) to administer or operate any program or activity under or in connection with any such contract, agreement, or arrangement, to enter into subcontracts or award grants to provide for the administration of any such program or activity, or to conduct any other activity under or in connection with any such contract, agreement, or arrangement.

SEC. 105. PROVISIONS RELATING TO TRIBAL RESERVATION.

(a) **FEDERAL RESERVATION ESTABLISHED.**—The reservation is hereby declared to be a Federal Indian reservation for the use and benefit of the tribe without regard to whether legal title to such lands is held in trust by the Secretary.

(b) **CONVEYANCE OF LAND BY STATE.**—The Secretary shall—

(1) accept any offer from the State to convey title to any land within the reservation held in trust on the date of enactment of this Act by the State or by the Texas Indian Commission for the benefit of the tribe to the Secretary, and

(2) hold such title, upon conveyance by the State, in trust for the benefit of the tribe.

(c) **CONVEYANCE OF LAND BY TRIBE.**—At the written request of the Tribal Council, the Secretary shall—

(1) accept conveyance by the tribe of title to any land within the reservation held by the tribe on the date of enactment of this Act to the Secretary, and

(2) hold such title, upon such conveyance by the tribe, in trust for the benefit of the tribe.

(d) **APPROVAL OF DEED BY ATTORNEY GENERAL.**—Notwithstanding any other provision of law or regulation, the Attorney General of the United States shall approve any deed or other instrument which conveys title to land within El Paso or Hudspeth Counties, Texas, to the United States to be held in trust by the Secretary for the benefit of the tribe.

(e) **PERMANENT IMPROVEMENTS AUTHORIZED.**—Notwithstanding any other provision of law or rule of law, the Secretary or the tribe may erect permanent improvements, improvements of substantial value, or any other improvement authorized by law on the reservation without regard to whether legal title to such lands has been conveyed to the Secretary by the State or the tribe.

(f) **CIVIL AND CRIMINAL JURISDICTION WITHIN RESERVATION.**—The State shall exercise civil and criminal jurisdiction within the boundaries of the reservation as if such State had assumed such jurisdiction with the consent of the tribe under sections 401 and 402 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," and approved April 11, 1968 (25 U.S.C. 1321, 1322).

(g) **PLAN FOR ENLARGEMENT OF RESERVATION.**—The Secretary shall negotiate with the tribe concerning the enlargement of the reservation and, not later than two years after the date of the enactment of this Act, shall develop a plan for the enlargement of the reservation for the tribe. The plan shall include provisions for the acquisition of land to be selected from available public, State, or private lands within El Paso or Hudspeth Counties, Texas. Upon approval of such plan by the tribe, the Secretary shall submit such plan, in the form of proposed legislation, to the Congress.

(h) **NOTIFICATION AND CONSULTATIVE REQUIREMENTS FOR PLAN.**—To assure that legitimate State and local interests are not prejudiced by the enlargement of the reservation for the tribe, the Secretary, in developing the plan under subsection (g) shall notify and consult with all appropriate officials of the State of Texas, all appropriate local government officials in the affected area in the State of Texas, and any other interested party. The consultations required under this subsection shall include—

(1) the size and location of the additions to the reservation;

(2) the effect the enlargement of the reservation would have on State and local tax revenues;

(3) the criminal and civil jurisdiction of the State of Texas with respect to the reservation and persons on the reservation;

(4) the provision of State and local services to the reservation and to the tribe and members of the tribe on the reservation; and

(5) the provision of Federal services to the reservation and to the tribe and members of the tribe and the provision of services by the tribe to members of the tribe.

(i) **CONTENTS OF PLAN.**—Any plan developed for the enlargement of the reservation shall provide that the Secretary shall not

accept any real property in trust for the benefit of the tribe or bands unless such real property is located either within El Paso or Hudspeth Counties, State of Texas.

(j) **STATEMENT APPENDED TO ENLARGEMENT PLAN RESPECTING IMPLEMENTATION OF NOTIFICATION AND CONSULTATIVE REQUIREMENTS.**—The Secretary shall append to the plan a detailed statement describing the manner in which the notification and consultation prescribed by subsection (h) was carried out and shall include any written comments with respect to the enlargement of the reservation for the tribe submitted to the Secretary by State and local officials and other interested parties in the course of such consultation.

SEC. 106. TIWA INDIANS ACT REPEALED.

The Tiwa Indians Act is hereby repealed.

SEC. 107. GAMING ACTIVITIES.

Pursuant to Tribal Resolution No. T.C.-02-86 which was approved and certified on March 12, 1986, all gaming as defined by the laws of the State of Texas shall be prohibited on the tribal reservation and on tribal lands.

SEC. 108. TRIBAL MEMBERSHIP.

(a) **10-YEAR PERIOD AFTER DATE OF ENACTMENT.**—For a period of ten years after the date of enactment of this Act, the membership of the tribe shall consist of—

(1) the individuals listed on the Tribal Membership Roll approved by the tribe's Resolution No. TC-5-84 approved December 18, 1984, and approved by the Texas Indian Commission's Resolution No. TIC-85-005 adopted on January 16, 1985; and

(2) a descendant of an individual listed on that Roll if the descendant—

(i) has $\frac{1}{4}$ degree or more of Tigua-Ysleta del Sur Pueblo Indian Blood, and

(ii) is enrolled by the tribe.

(b) **REMOVAL FROM TRIBAL ROLL.**—Notwithstanding subsections (a) and (c) of this section—

(1) the tribe may remove an individual from tribal membership if it determines that the individual's enrollment was improper; and

(2) the Secretary, in consultation with the tribe, may review the Tribal Membership Roll.

(c) **AUTHORITY OF TRIBE IN DETERMINING MEMBERSHIP.**—Nothing in this section shall be interpreted as limiting the authority of the tribe to determine its membership criteria after a ten-year period or the eligibility or ineligibility of an individual to membership in the tribe.

TITLE II—ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS.

SEC. 201. DEFINITIONS.

For purposes of this title—

(1) the "tribe" means the Alabama and Coushatta Indian Tribes of Texas (considered as one tribe in accordance with section 202);

(2) the term "Secretary" means the Secretary of the Interior or his designated representative;

(3) the term "reservation" means the Alabama and Coushatta Indian Reservation in Polk County, Texas, comprised of—

(A) the lands and other natural resources conveyed to the State of Texas by the Secretary pursuant to the provisions of section 1 of the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes." and approved August 23, 1954 (25 U.S.C. 721);

(B) the lands and other natural resources purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854; and

(C) lands subsequently acquired and held in trust by the Secretary for the benefit of the tribe;

(4) the term "State" means the State of Texas;

(5) the term "constitution and bylaws" means the constitution and bylaws of the tribe which were adopted on June 16, 1971; and

(6) the term "Tribal Council" means the governing body of the tribe under the constitution and bylaws.

SEC. 202. ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS CONSIDERED AS ONE TRIBE.

The Alabama and Coushatta Indian Tribes of Texas shall be considered as one tribal unit for purposes of this title and any other law or rule of law of the United States.

SEC. 203. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND BENEFITS.

(a) **FEDERAL RECOGNITION.**—Federal recognition of the tribe and of the trust relationship between the United States and the tribe is hereby restored. The Act of June 18, 1934 (48 Stat. 984), as amended, and all laws and rules of law of the United States of general application to Indians, to nations, tribes, or bands of Indians, or to Indian reservations which are not inconsistent with any specific provision contained in this title shall apply to the members of the tribe, the tribe, and the reservation.

(b) **RESTORATION OF RIGHTS AND PRIVILEGES.**—All rights and privileges of the tribe and members of the tribe under any Federal treaty, Executive order, agreement, statute, or under any other authority of the United States which may have been diminished or lost under the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Indian Tribes of Texas, and the individual members thereof; and for other purposes" and approved August 23, 1954, are hereby restored and such Act shall not apply to the tribe or to members of the tribe after the date of the enactment of this title.

(c) **FEDERAL BENEFITS AND SERVICES.**—Notwithstanding any other provision of law, the tribe and the members of the tribe shall be eligible, on and after the date of the enactment of this title, for all benefits and services furnished to federally recognized Indian tribes.

(d) **EFFECT ON PROPERTY RIGHTS AND OTHER OBLIGATIONS.**—Except as otherwise specifically provided in this title, the enactment of this title shall not affect any property right or obligation or any contractual right or obligation in existence before the date of the enactment of this title or any obligation for taxes levied before such date.

SEC. 204. STATE AND TRIBAL AUTHORITY.

(a) **STATE AUTHORITY.**—Nothing in this Act shall affect the power of the State of Texas to enact special legislation benefitting the tribe, and the State is authorized to perform any services benefitting the tribe that are not inconsistent with the provisions of this Act.

(b) **CURRENT CONSTITUTION AND BYLAWS TO REMAIN IN EFFECT.**—Subject to the provisions of section 203(a) of this Act, the constitution and bylaws of the tribe on file with the Committee on Interior and Insular Affairs is hereby declared to be approved for

the purposes of section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476) except that all reference to the Texas Indian Commission shall be considered as reference to the Secretary of the Interior.

(c) **AUTHORITY AND CAPACITY OF TRIBAL COUNCIL.**—No provision contained in this title shall affect the power of the Tribal Council to take any action under the constitution and bylaws described in subsection (b). The Tribal Council shall represent the tribe and its members in the implementation of this title and shall have full authority and capacity—

(1) to enter into contracts, grant agreements, and other arrangements with any Federal department or agency;

(2) to administer or operate any program or activity under or in connection with any such contract, agreement, or arrangement, to enter into subcontracts or award grants to provide for the administration of any such program or activity, or to conduct any other activity under or in connection with any such contract, agreement, or arrangement; and

(3) to bind any tribal governing body selected under any new constitution adopted in accordance with section 205 as the successor in interest to the Tribal Council.

SEC. 205. ADOPTION OF NEW CONSTITUTION AND BYLAWS.

Upon written request of the tribal council, the Secretary shall hold an election for the members of the tribe for the purpose of adopting a new constitution and bylaws in accordance with section 16 of the Act of June 18, 1934 (25 U.S.C. 476).

SEC. 206. PROVISIONS RELATING TO TRIBAL RESERVATION.

(a) **FEDERAL RESERVATION ESTABLISHED.**—The reservation is hereby declared to be a Federal Indian reservation for the use and benefit of the tribe without regard to whether legal title to such lands is held in trust by the Secretary.

(b) **CONVEYANCE OF LAND BY STATE.**—The Secretary shall—

(1) accept any offer from the State to convey title to any lands held in trust by the State or the Texas Indian Commission for the benefit of the tribe to the Secretary, and

(2) shall hold such title, upon conveyance by the State, in trust for the benefit of the tribe.

(c) **CONVEYANCE OF LAND BY TRIBE.**—At the written request of the Tribal Council, the Secretary shall—

(1) accept conveyance by the tribe of title to any lands within the reservation which are held by the tribe to the Secretary, and

(2) hold such title, upon such conveyance by the tribe, in trust for the benefit of the tribe.

(d) **APPROVAL OF DEED BY ATTORNEY GENERAL.**—Notwithstanding any other provision of law or regulation, the Attorney General of the United States shall approve any deed or other instrument from the State or the tribe which conveys title to lands within the reservation to the United States.

(e) **PERMANENT IMPROVEMENTS AUTHORIZED.**—Notwithstanding any other provision of law or rule of law, the Secretary or the tribe may erect permanent improvements, improvements of substantial value, or any other improvement authorized by law on the reservation without regard to whether legal title to such lands has been conveyed to the Secretary by the State or the tribe.

(f) **CIVIL AND CRIMINAL JURISDICTION WITHIN RESERVATION.**—The State shall ex-

exercise civil and criminal jurisdiction within the boundaries of the reservation as if such State had assumed such jurisdiction with the consent of the tribe under sections 401 and 402 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" and approved April 11, 1968 (25 U.S.C. 1321, 1322).

SEC. 207. GAMING ACTIVITIES.

Pursuant to Tribal No. 86-07, approved March 10, 1986, all gaming as defined by the laws of the State of Texas shall be prohibited on the tribal reservation and on tribal lands.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Arizona [Mr. UDALL] will be recognized for 20 minutes and the gentleman from Idaho [Mr. CRAIG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 318 provides for the restoration of Federal recognition to two Indian tribes located within the State of Texas: The Ysleta del Sur Pueblo and the Alabama-Coushatta Indian Tribe. Both tribes had their Federal recognition terminated as a result of acts of Congress in 1967 and 1954 respectively.

Both tribes are currently recognized as Indian tribes by the State of Texas and this bill would only restore the trust relationship with the Federal Government.

The Ysleta del Sur Pueblo is a State-recognized tribe with a population of about 1,100 members and has a 100-acre reservation in El Paso County. The pueblo was established in 1680 when Pueblo Indians migrated from Santa Fe to Texas during the Pueblo Indian revolt against Spain.

The Alabama-Coushatta Indian Tribe is a State-recognized tribe of about 500 members residing on a 4,600-acre reservation near Livingston, TX. These Indians came to east Texas from Alabama in the late 1700's and the State of Texas purchased lands for the tribe in 1854 in part to reward the tribe for its support to Sam Houston during Texas' war of independence.

Mr. Speaker, this bill does not contain any additional authorization for new appropriations of Federal funds. Under this bill in accordance with tribal resolutions, gambling, as defined by the laws of Texas, will be prohibited on the tribal lands. Let me also

clarify the language of the bill by stating that even if the tribes amended or repealed their gaming resolutions, gambling would remain prohibited unless allowed by a future act of Congress.

Mr. Speaker, this bill is supported by the tribes and the Members of Congress in whose districts these tribes are located and I therefore urge my colleagues to vote in favor of the bill.

□ 1220

Mr. CRAIG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 318, a bill which would restore Federal recognition to two Texas Indian tribes—the Tiwa Indian Tribe in El Paso, TX, and the Alabama-Coushatta Indian Tribe in east Texas. Additionally, the bill would make the tribes eligible to receive all benefits available to federally recognized Indian tribes.

The bill is nearly identical to one which passed this body without opposition in the last Congress, but unfortunately failed to be enacted upon by the other body. The committee took extensive testimony last Congress and worked closely with members of the Texas delegation, including the former member of the Interior Committee, the honorable JOE BARTON.

The committee has attempted to address the concerns of the administration—that of an explosion of new members of the newly recognized tribes—without philosophically changing the general policy Congress has of allowing Indian tribes to determine their own membership. I believe the language of H.R. 318 does address their concerns, and I urge my colleagues to support H.R. 318.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise with some concerns about this bill, since the administration has indicated that it opposes enactment of H.R. 318. It does so based upon a provision which I find somewhat disconcerting myself and that is that what we are saying here is that the eligibility for these benefits, that amounts to about \$3,000 per person, would not in fact be locked in upon the passage of this bill, but instead we would allow the tribe a 10-year period of time to determine what the membership of the tribe is going to be and anybody who comes under that membership would therefore be eligible for \$3,000 per person.

Now, I guess the first question that I have of somebody is how many people are we talking about here who are going to get \$3,000 per person?

Mr. CRAIG. Mr. Speaker, I cannot respond to the actual figures. My colleague, the chairman of the commit-

tee, the gentleman from Arizona, might be able to do so.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, according to the report and the evidence that we had in processing this bill, there are approximately 1,100 men, women, and children, in these reservations.

Mr. WALKER. Well, but my concern is that the people on the reservations are evidently not our problem under the provision that the administration has concerns about. They are concerned about who else is going to become eligible over a 10-year period of time as we expand the numbers of people in the tribe. Do we have any idea how far that expansion is going to take us?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, I know the gentleman's concern and there are others who have the same concern.

What we did to meet it is to lock in the additional 10-year period in which a person, an Indian to be qualified, would have to have at least one-eighth Indian blood.

Mr. WALKER. Well, is that another 1,100 people who are out there somewhere? Is it 500 people? How many people do we have who are going to become eligible for the benefits during that 10-year period of time?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, that is already in the bill, a limitation to 1,100. We have the further evidence of what has happened to this tribe. It has not increased. It has the same population, I understand, now, that it had 15 or 20 years ago.

Mr. WALKER. Let me say to the gentleman, in the report the gentleman has a letter from the Budget Office that estimates that we could have 2,000 tribe members at some point. Two thousand tribe members would mean that we would have a \$6 million a year appropriation under current standards at \$3,000 a person. Is that what we are looking at?

Mr. UDALL. I understand that the 2,000 figure that the gentleman has is for both reservations. I referred in my prepared remarks to these Ysleta Del Sur Pueblo and they have 1,100.

Mr. WALKER. All right. I understand, but the bill does cover both tribes, is that correct?

Mr. UDALL. That is correct.

Mr. WALKER. So that we are talking then about somewhere in the vicinity of 2,000 people and we are talking about an expense of \$3,000 per eligible person, so that we are talking somewhere in the range of a \$6 million bill here; is that correct?

Mr. UDALL. I think the gentleman may not fully understand where that \$3,000 came from and what it means.

In trying to get a reliable estimate of the cost of this bill, we asked how many reservation Indians do we have in the United States now and what is the total dollar amount of the programs that can be assigned to handling our obligations to our Indian citizens and dividing it that way it comes up to about \$3,000.

But you do not go down with a bill if you are a citizen on January 1 and say, "I would like my \$3,000." You may get some of that in hospitalization, in medical care, and all the things that we do for the tribes.

Mr. WALKER. Well, I think that the methodology used by the gentleman is probably the correct methodology. I mean, we are probably somewhere in the vicinity of whatever numbers of people we add that it is going to cost the taxpayer \$3,000 per person if the methodology is correct, and it sounds like a fairly reasonable methodology to me. All I am trying to determine here is if the administration is correct, that we are now going to allow a 10-year period to expand that tribe. I am trying to figure out, I have a CBO estimate that indicates we have 2,000 people at \$3,000 per person. That is a \$6 million bill.

I am just wondering if the administration is somewhat concerned that we may have another 2,000 members out there somewhere that we could double that size.

Does anybody know what the estimate might be of how many people we are talking about?

Mr. UDALL. Our information is that we should not expect a great increase in the size of the tribe. I personally do not believe there will be a great increase in the size of the tribe. Most of them have wanted to belong in the tribe. They are recognized by the State of Texas and they want to be eligible for the benefits provided by the laws of Texas. I think that is a pretty good indication.

Mr. WALKER. Do I then understand that we have reason to believe and that the legislative history should show that in the passage of this bill that we expect no more than 2,000 people to ultimately be eligible for benefits under the bill that we have before us?

Mr. UDALL. Mr. Speaker, if the gentleman will yield further, that is my expectation, that there are effectively not going to be growth beyond 2,000 members and I do not think we will see growth beyond the \$3,000 figure.

Mr. WALKER. Well, Mr. Speaker, I thank the gentleman.

What I would prefer to see us do would be to have locked in the situation as we now know the situation to be. We know that there are 2,000. If that is the number that we expect there are going to be, it seems to me that we could have assured ourselves of an appropriate expenditure level on

this by simply locking in that number of people, whoever is on the eligible tribe list at the present time. It seems to me that the administration has a very reasonable case to be made when we say that we cannot expand this over a period of as much as 10 years.

Mr. CRAIG. Mr. Speaker, regaining my time, let me suggest to my colleague, the gentleman from Pennsylvania, who expresses some valid concerns, that the general policy of the Congress and the Federal Government has been to allow Indian tribes to determine their own membership requirement; however, in the case of new tribes or the restoration of terminated tribes, Congress has established the initial membership roll and then allowed tribes to add to that roll. Those initial rolls are quite different from what the administration has suggested. To my knowledge this would be the first time Congress has ever legislated an individual's tribe requirement membership, so there is a constricting, if you will, from what is current law. It would be unfair, I think, to the Texas tribes to legislate the proposed requirements, or the ones recommended.

In fact, these proud people already do much to limit their membership to retain their unique identity, which will limit membership and address I think the administration's overall concerns, as they were initially reflected to the committee.

Mr. WALKER. Mr. Speaker, will the gentleman yield further?

Mr. CRAIG. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, the gentleman does agree that under the provisions of the bill, they are going to be eligible for expanding their tribal list for a 10-year period of time and that we will in fact have to pay the benefits for any person added during that 10-year period of time.

□ 1230

Mr. CRAIG. I think to correct my colleague, as I understand the bill, they are frozen or limited for 10 years to a specific membership. It is after the 10-year period that they might be able to identify, based on the requirements for membership, they might be able to identify additional people. But you have a 10-year window here in which they are limited in number.

Mr. WALKER. OK. I think that the gentleman is correct. In other words, we are freezing in the present membership for a 10-year period of time.

Mr. CRAIG. That is correct.

Mr. WALKER. But then a decade from now they can begin to add to the tribal membership at that point.

Mr. CRAIG. That is a possibility, but under specific and designated requirements.

Mr. WALKER. I thank the gentleman.

Mr. CRAIG. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. UDALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HUBBARD). The question is on the motion offered by the gentleman from Arizona [Mr. UDALL] that the House suspend the rules and pass the bill, H.R. 318, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SURFACE MINING ACT AMENDMENTS RELATING TO THE 2-ACRE EXEMPTION AND THE SET-ASIDE OF STATE FUNDS FOR ABANDONED MINE RECLAMATION

Mr. UDALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1963) to amend the Surface Mining Control and Reclamation Act of 1977 to permit States to set aside in a special trust fund up to 10 per centum of the annual State funds from the Abandoned Mine Land Reclamation Fund for expenditure in the future for purposes of abandoned mine reclamation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SPECIAL STATE SET-ASIDE

SEC. 101. AMENDMENT OF SURFACE MINING CONTROL AND RECLAMATION ACT.

Section 402(g) of the Surface Mining Control and Reclamation Act of 1977 is amended by redesignating paragraph (3) as paragraph (4) and by adding the following new paragraph after paragraph (2):

"(3) SPECIAL STATE SET-ASIDE FOR FUTURE EXPENDITURE.—Notwithstanding the proviso contained in paragraph (2), any State may receive and retain, without regard to the three-year limitation referred to in such proviso, up to ten per centum of the appropriated funds granted annually by the Secretary to that State under paragraph (2) if such moneys are deposited in a special trust fund established under State law and such moneys (together with all interest earned on such moneys) may be expended by the State solely to accomplish the purposes of this title after August 3, 1992. All moneys so deposited in special State trust accounts, as well as all interest earned, shall be considered State moneys. This paragraph shall cease to apply to any State for fiscal years after any fiscal year in which approval of the State regulatory program under section 503 is terminated or withdrawn by the Secretary until the first subsequent fiscal year after the fiscal year in which the Secretary reapproves the State program."

TITLE II—TWO-ACRE EXEMPTION

SEC. 201. REPEAL OF EXEMPTION.

(a) REPEAL.—Section 528 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1278) is amended as follows:

(1) In paragraph (1), insert "and" immediately after "him";

(2) Strike out paragraph (2).

(3) Redesignate paragraph (3) as (2).

(b) EFFECTIVE DATE FOR NEW OPERATIONS.—The amendments made by this section shall take effect on the date 30 days after the enactment of this Act with respect to each operator commencing surface coal mining operations on or after such date.

(c) EFFECTIVE DATE FOR EXISTING OPERATIONS.—The amendments made by this section shall take effect on the date 6 months after the enactment of this Act with respect to each operator commencing surface coal mining operations pursuant to an authorization under State law before the date 30 days after the enactment of this Act. Nothing in this Act shall preclude reclamation activities pursuant to State law or regulations at the site of any surface coal mine which was exempt from the Surface Mining Control and Reclamation Act of 1977 under section 528(2) of that Act, as in effect before the enactment of this Act.

(d) EFFECT ON STATE LAW.—To the extent that any provision of a State law, or of a State regulation, adopted pursuant to the exception under section 528(2) of the Surface Mining Control and Reclamation Act of 1977 as in effect before the enactment of this Act, is inconsistent with the amendments made by this section, such provision shall be of no further force and effect after the effective date of such amendments.

(e) DEFINITION.—For purposes of this section, the term "surface coal mining operations" has the meaning provided by section 701(28) of the Surface Mining Control and Reclamation Act of 1977.

The SPEAKER pro tempore. Is a second demanded?

Mr. CRAIG. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. UDALL] will be recognized for 20 minutes and the gentleman from Idaho [Mr. CRAIG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1963.

Ten years ago, on August 3, 1977, the Surface Mining Control and Reclamation Act [SMCRA] was signed into law. This was a monumental piece of

environmental legislation. It established for the first time a national program to protect society and the environment from the adverse effects of surface coal mining operations, and the surface impacts of underground mining. It also was designed to bring stability and orderly development into an essential and vital industry which had heretofore been largely regulated in a nonuniform manner on a State-by-State basis.

While the enforcement of the law has not lived up to my expectations, it has been helpful in many ways. However, there are several areas where experience has shown there needs to be significant improvement. H.R. 1963 addresses two such areas.

The first of these, section 101 of H.R. 1963, amends section 402(g) of SMCRA and authorizes States to establish a special trust fund which could be utilized for abandoned mine land reclamation purposes after the termination date of 1992 of the Abandoned Mine Land [AML] fund under title IV of SMCRA. Each State could set aside up to 10 percent of the appropriated State share fund granted annually by the Secretary of the Interior to that State under the title IV AML Program. These funds would be deposited in a special interest-bearing trust account established under State law. Only States with approved SMCRA title V programs would be eligible. Moneys deposited, as well as interest, would be considered State moneys and could be used for reclamation purposes after August 3, 1992, the present expiration date for the collection of AML fees.

The second provision of H.R. 1963, section 201, repeals section 528(2) of SMCRA. This section, commonly known as the 2-acre exemption, has been the most troublesome and misused provision of SMCRA. It was designed to permit small coal operators, the so-called mom and pop operators, to be exempt from the permitting and regulatory requirements of SMCRA where the surface disturbance affected 2 acres or less. Therefore, these 2-acre or less operators were not required to comply with the permitting, land reclamation, or environmental performance requirements of SMCRA.

However well intentioned in 1977, the 2-acre exemption turned out to be the most misused and abused provision of SMCRA. Unethical operators, not small mom and pop operators, used the exemption to avoid SMCRA land reclamation requirements and the payment of abandoned lands reclamation fees. This gave the unethical operator a significant economic advantage. Not only could the cost of land reclamation be avoided, a significant cost, but also the abandoned mine land fee of 35 cents per ton of surface mined coal was not paid. Legitimate operators

were placed at an economic disadvantage.

Numerous methods were used by the unethical operator to fall within the 2-acre exemption. One of the most common was the so-called string of pearls. Here an operator would mine a number of sites along a coal seam, skipping a few feet between each operation. Each site was then claimed as a separate 2-acre site to bring it within the exemption. Other ruses were to deed coal haul roads to local governments to decrease the surface area disturbed to 2 acres or less. Other companies contracted with small independent contractors—who were, in fact, not independent but each claimed an exemption. Shell corporations were also set up under which separate companies were formed but in actuality control remained in one entity. Other entities simply ignored the 2-acre provision in the expectation they would not be apprehended—in this they were frequently successful.

It is the committee's position that this widespread abuse can only be controlled by the repeal of the 2-acre exemption. Its repeal will in no way harm the legitimate coal operator, large or small. The benefits of closing this loophole, which has given the legitimate coal industry a bad image, far outweigh any possible benefits of its retention.

I wish to emphasize that H.R. 1963 is a bipartisan effort and that I am not aware of any opposition. The administration, as well as the legitimate coal industry, supports the bill.

In closing I wish to emphasize that the widespread abuse of the 2-acre exemption should not be perceived as a condemnation of the coal industry as a whole. The abuse was largely confined to a few areas. By and large the majority of the coal industry has operated in a legitimate and workmanlike manner and has attempted to comply with the law. Coal mining is an essential and important industry and it should not have its image tarnished by the unethical operator out to make a fast buck at the expense of others.

Mr. Speaker, I strongly recommend H.R. 1963 receive favorable consideration.

Mr. Speaker, I reserve the balance of my time.

Mr. CRAIG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Surface Mining Control and Reclamation Act [SMCRA] of 1977 contains a proviso which requires each State receiving abandoned mine reclamation funds to spend those funds within 3 years of being granted by the Secretary of the Interior.

Some States have discovered that this 3-year limitation does not act to serve the best interest of their reclamation programs. Congress has been

requested to modify the 3-year limitation so that each State may better regulate its grant fund expenditures. H.R. 1963 contains a title which authorizes each State to set aside 10 percent of each annual abandoned mine reclamation fund grant in a special trust fund. Moneys from these special trust funds, and any interest earned by said special trust funds, could be spent whenever deemed appropriate by the States so long as they are spent solely to accomplish the purposes of SMCRA.

This is a reasonable modification to existing law in that it does not significantly dilute the effect of annual SMCRA grants and their spending requirements and yet does give each State the flexibility to better regulate the expenditure of grant moneys.

H.R. 1963 also contains a second title which would repeal the 2-acre exemption provision of SMCRA which currently exempts those surface coal mining operations which affect 2 acres or less from all provisions of the act.

This 2-acre exemption has given rise to several different forms of SMCRA circumvention. In some instances, operators have been found to be mining a number of sites along a coal seam where 50 to 100 feet are skipped between pits with each site being claimed as a separate mine under the 2-acre exemption. In other instances, shell corporations have been created under which separate companies were formed and operated under the 2-acre exemption using common equipment, employees, offices, and stockholders.

The end result has been a flurry of lawsuits, a disproportionate expenditure of State and Federal funds, and the circumvention of the reclamation provisions of SMCRA.

The best way to solve these problems is to repeal the troublesome 2-acre exemption so that each State can get on with its reclamation programs in an effective and orderly manner.

Mr. Speaker, I yield such time as he may consume to the gentleman from Wyoming [Mr. CHENEY].

□ 1240

Mr. CHENEY. Mr. Speaker, it is my pleasure to be cosponsoring with Mr. UDALL, Mr. RAHALL, and Mr. MARLENEE, the bill before us today to make some needed adjustments in the Surface Mining Control and Reclamation Act.

This legislation, H.R. 1963, consists of two titles—one dealing with the so-called 2-acre exemption, and one dealing with the use of abandoned mine land funds. It has been a pleasure to work with the distinguished chairman of the House Interior Committee, Mr. UDALL, to develop this bill.

The so-called 2-acre exemption in the law seemed like a reasonable thing to do in 1977, but it has since proven to be extremely difficult to enforce and administer, and has been seriously abused by a few unscrupulous opera-

tors whose illegal activities have blighted the mine reclamation effort. The bill before us would correct these problems and require proper reclamation at all mines, regardless of size.

The second issue addressed by the bill is the matter of giving States more flexibility to deal with problems caused by past mining.

As my colleagues know, title IV of the Surface Mining Control and Reclamation Act established a program to facilitate repair of damage from past mining—the Abandoned Mine Lands Program. This work is paid for out of a fund derived from a fee on each ton of coal that is mined. That fee system is scheduled to expire in 1992.

The notion of giving States more flexibility in handling their AML funds stemmed from a particular problem in Rock Springs, WY, which sits on top of a honeycomb of long-abandoned underground coal mine voids. Since 1948, Rock Springs citizens have been troubled by periodic episodes of subsidence—collapsing of the ceilings of these mines. The Rock Springs situation clearly is Wyoming's most serious abandoned mine problem.

For well over a decade, State and local officials have searched for ways to do something about this problem. A lot of money has been spent to study the extent of the mine voids and to try to keep them from collapsing.

The method of choice in recent years was to try to backfill the voids by pumping in a slurry mixture. But there is reason to believe that backfilling intended to prevent subsidence has, itself, triggered more subsidence in adjacent areas. As a result, the State of Wyoming is seeking other methods to deal with the subsidence problem.

It is questionable, Mr. Speaker, whether a good, cost-effective solution to this longstanding problem will be found before 1992, when the fee on coal which finances the AML Program is scheduled to expire.

To address this kind of situation, the bill before us today would allow States to set aside up to 10 percent of their annual appropriated funds under the AML Program in a special trust fund. Money in such funds, together with any interest earned, could be used after 1992 to address remaining mine reclamation problems such as the one in Rock Springs which defy immediate solution.

Our bill does not alter any State's allocation under the AML Program, and it does not in any way change the purposes for which AML funds can be spent. It simply gives States the flexibility to set aside a small portion of their AML allocations if they choose for use in the future to solve problems that, for technical or other reasons, cannot be solved now.

Mr. CRAIG. Mr. Speaker, I thank my colleague, the gentleman from Wy-

oming [Mr. CHENEY], and also would like to comment on the leadership role he has played in gaining greater flexibility that I think has been clearly demonstrated is necessary in the law. We believe that H.R. 1963 demonstrates that, Mr. Speaker.

Mr. Speaker, I have no others who wish to comment, and therefore, I yield back the balance of my time.

Mr. UDALL. Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Speaker, it gives me great pleasure to rise in support of H.R. 1963, a bill which would repeal the 2-acre exemption provided by the Surface Mining Control and Reclamation Act of 1977 as well as authorize the States to retain up to 10 percent of their annual AML construction grant for future use.

This is rather an historic occasion. No amendments to SMCRA have been considered on the House floor since its enactment although a number of modifications have been made to the act through the appropriations process over the years.

Be that as it may, this is an historic occasion in the sense that we have a bill to amend SMCRA that the support not only of the recognized father of the Federal surface mining law, Mr. UDALL, but of representatives from the Appalachian and Western coalfields as well.

On a personal note, I would say to the distinguished chairman of the Committee on Interior and Insular Affairs, that it is a great privilege for me to rise in support of an amendment to SMCRA not only in my capacity as chairman of the Subcommittee on Mining and Natural Resources, but as a representative of the great State of West Virginia where the Federal Surface Mining Act has had a good deal of impact. During my first term in the Congress, I had the honor of serving on the conference committee which ironed out the differences between the House and Senate bills which ultimately became the 1977 law. As many of us well remember, this law had a very controversial history and to this day its implementation continues to spark heated debate. However, on the matter before us today, there is no controversy and we stand united behind this legislation. This bill is a tribute to the leadership of the gentleman from Arizona and his ability to act when the situation warrants.

Let there be no doubt that the 2-acre abusers have been in the minority. Upon the enactment of H.R. 1963, if you listen closely, I think you will hear a collective sigh of relief from the coal industry. The many law-abiding producers of coal in this country have long labored under the stigma much of the media has attached to

surface coal mining due to abuses under the 2-acre exemption.

Those who have abused the 2-acre exemption have not only given the entire coal industry a black eye, but have also created unfair competition in the production of coal. And this, it should be noted, was one of the major reasons for the enactment of the 1977 law—to ensure that all coal-producing States were playing by the same set of rules when it came to environmental standards governing surface coal mining and reclamation.

While the AML provision of H.R. 1963 is not of great interest to those of us from the East, it does recognize a problem certain Western States are having with title IV and I am pleased that it has been included in this legislation. I would note that at some point in the near future, I will be conducting oversight hearings on the AML Program so that we may begin to focus on the reclamation needs of the coal States after 1992 when the current AML Program expires.

I urge all of my colleagues to support this legislation.

Mr. UDALL. Mr. Speaker, I urge the passage of this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HUBBARD). The question is on the motion offered by the gentleman from Arizona [Mr. UDALL] that the House suspend the rules and pass the bill, H.R. 1963, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DESIGNATING A SEGMENT OF KINGS RIVER IN CALIFORNIA AS A WILD AND SCENIC RIVER

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 799) to designate a segment of the Kings River in California as a wild and scenic river, as amended.

The Clerk read as follows:

H.R. 799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF KINGS RIVER.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding the following new paragraph at the end:

“(62) KINGS, CALIFORNIA.—The Middle Fork of the Kings River from its headwaters at Lake Helen between Muir Pass and Black Giant Mountain to its confluence with the main stem; the South Fork, Kings River from its headwaters at Lake 11599 to its confluence with the main stem; and the main stem of the Kings River from the confluence of the Middle Fork and the South Fork to the point at elevation 1595 feet above mean sea level. The segments within

the Kings Canyon National Park shall be administered by the Secretary of the Interior. The remaining segments shall be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public and within one year after the enactment of this paragraph, the respective Secretaries shall take such action as is required under subsection (b) of this section. In the case of the segments of the river administered by the Secretary of the Interior, the requirements of subsection (b) shall be fulfilled through appropriate revisions to the general management plan for Kings Canyon National Park, and the boundaries, classification, and development plans for such segments need not be published in the Federal Register. Such revisions to the general management plan for the park shall assure that no development or use of park lands shall be undertaken that is inconsistent with the designation of the river under this paragraph. For the purposes of the segments designated by this paragraph, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this paragraph.”.

(b) RENUMBERING.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by redesignating the paragraphs relating to the Cache La Poudre River, the Saline Bayou, Black Creek, the Klickitat, and the White Salmon as paragraphs (57) through (61), respectively. SEC. 2 SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—In order to provide for public outdoor recreation use and enjoyment of certain areas within the Sierra National Forest and the Sequoia National Forest, to protect those areas' natural, archaeological, and scenic resources and to provide for appropriate fish and wildlife management of those areas, there is hereby established the Kings River Special Management Area (hereinafter in this Act referred to as the “special management area”). The special management area shall be administered by the Secretary of Agriculture (hereinafter in this Act referred to as “the Secretary”) as a separate unit of the Sierra National Forest. The boundaries of the Sierra National Forest and the Sequoia National Forest shall be adjusted accordingly.

(b) AREA INCLUDED.—The special management area shall consist of the lands, waters, and interests therein within the area generally depicted on the map entitled “Boundary Map, Kings River Special Management Area,” dated April 1987. The map shall be on file and available for public inspection in the offices of the National Forest Service, Department of Agriculture. The Secretary of Agriculture may from time to time make minor revisions of the boundary of the special management area.

(c) ADMINISTRATION.—The Secretary shall administer the special management area in accordance with this Act and with the provisions of law generally applicable to units of the national forest system. In the case of any conflict between the provisions of such Act, the provisions of this Act shall govern. In the administration of the special management area the Secretary may utilize such statutory authority as may be available to him for the conservation of wildlife and natural resources as he deems necessary to carry out the purposes of this Act. Nothing in this Act shall be construed to prohibit grazing within the special management area to the same extent, and in accordance with the same rules and regulations as applicable

in the absence of this Act. The Secretary may permit the cutting of timber within the special management area only in those cases where in the judgment of the Secretary the cutting of such timber is required in order to control the attacks of fire, insects, or diseases or to otherwise conserve the scenery or the natural or historical objects in the area.

(d) MINING AND MINERAL LEASING.—Subject to valid existing rights, lands within the special management area are withdrawn from location, entry, and patent under the mining laws of the United States, from the operation of the mineral leasing laws of the United States and from operation of the Geothermal Steam Act of 1970.

(e) HUNTING AND FISHING.—The Secretary shall permit hunting, and fishing on lands and waters within the special management area in accordance with applicable Federal and State law. The Secretary may designate zones where, and establish periods when, such activities will not be permitted for reasons of public safety, administration, fish and wildlife management or public use and enjoyment. Except in emergencies and regulations issued by the Secretary under this subsection shall be put into effect only after consultation with the appropriate State agencies responsible for hunting and fishing activities.

(f) MANAGEMENT PLAN.—After consultation with the State of California, the Secretary shall publish a management plan for the special management area within three years after the enactment of this Act. The plan shall provide for public outdoor recreation use and enjoyment of the special management area, protect area's natural, archaeological, and scenic resources, and provide for appropriate fish and wildlife management within the area. The plan shall contain provisions for management of vegetation within the area designed to enhance the wildlife carrying capacity of the area. The plan shall permit off-road vehicular use of off-road trails to the same extent and in the same locations as was permitted before enactment of this Act. The plan shall provide for the development of hiking trails in the special management area and shall include a trail from Garlic Creek to Little Tehipite Valley.

(g) ACCESS TO PRIVATE LANDS.—If any State or privately owned land or any valid mining claim or other valid occupancy is within the special management area, or if State or private subsurface rights under public lands within the special management area, the Secretary shall provide the State or private owner, claimant, or occupier and their successors, in interest such rights as may be necessary to assure adequate and feasible access for economic and other purposes to their site concerned. Such rights shall be subject to reasonable regulations issued by the Secretary to protect the natural and other values of the special management area, taking into account the traditional and customary means of access used to the enactment of this Act.

(h) SPECIFIC PROTECTIONS.—In recognition of the dispute that exists over whether a dam project should be constructed in the segment of the Main Stem of the Kings River from the point at elevation 1595 feet above mean sea level downstream to the point at elevation 990 feet above mean sea levels, Congress declares its intention at this time not to designate that segment of the Kings River as a component of the Wild and Scenic Rivers System. Notwithstanding any other provision of law, no Federal lands

may be used for the construction of any dam or diversion within the boundaries of the special management area without specific authority of the Congress. In order to protect the natural, cultural, recreational, fishery, and wildlife values of the river segment referred to in this subsection, that segment shall be subject to the provisions of section 7(a) of the Act of October 2, 1986 (82 Stat. 906) in the same manner as if it were designated. Nothing in this Act shall preclude the Kings River Conservation District from conducting studies as it may deem appropriate.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. PASHAYAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 799 was introduced by our good friend and colleague on the Committee on Interior and Insular Affairs, RICK LEHMAN.

H.R. 799, as reported by the committee, would designate about 81 miles on the Kings River in California as a component of the National Wild and Scenic River System. The bill also establishes a 48,000 acre special management area on Forest Service land that includes the Kings River canyon area and provides for protection of an additional 11 miles of the main stem of the Kings River.

Mr. Speaker, the Kings River originates in Kings Canyon National Park and flows into Tulare Lake in the San Joaquin Valley of California. The middle and south forks of the Kings River head waters gathers in the High Sierra Nevada Mountains at nearly 14,000 feet elevation and flow in rapid descent through some of the wildest reaches of Kings Canyon National Park. The two forks join to form the main stem and passes through what has been called the deepest canyon in the continental United States, 8,240 feet from the top of Spanish Mountain to the river. In the 11,160-foot drop to the river it passes through all of the Sierra Nevada life zones from alpine to sonoran. The diversity of vegetation and wildlife along the river encompasses nearly all of the species to be found in the Sierra Nevada and in some places the more rare animal species are found in large numbers.

The Kings River is widely known as one of the finest trout streams in California and has been designated for special status by the State as a wild trout fishery.

The upper river is a favorite of backpackers and sustains heavy use from hikers. The lower river is heavily used for general recreation but is most popular as a rafting river. It has been estimated that about 20,000 raft trips are made annually.

While there has been a long history of water development projects proposed for the Kings River, only one is currently active and calls for a dam at Rodgers Crossing, just upstream from the upper end of Pine Flat Reservoir. The development of this site has been proposed by the Kern River Conservation District [KRCDD], an independent agency organized under California law for the purposes of providing irrigation water, hydropower and flood control. KRCDD asked the Corps of Engineers to study the site in the late 1960's. The Corps of Engineers reported, subsequent to their study in 1971, that under their procedures for economic analysis, no project would be feasible.

Mr. Speaker, with that background, anyone familiar with environmental issues will know there was great controversy about this bill as it was introduced. My colleagues on the committee, RICK LEHMAN and CHIP PASHAYAN have done an astounding job of bringing together the opposing groups and forging this excellent compromise we have before us today.

Mr. Speaker, compliments are certainly due these two fine legislators and their staff, Mary Lou Cooper and Larry Adams and my own chief of staff, Dale Crane, for putting together this very difficult agreement and obtaining the acceptance of the people on both sides of the issue.

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Mr. Speaker, I reserve the balance of my time.

Mr. PASHAYAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 799 as reported by the Committee on Interior and Insular Affairs and I urge my colleagues to join with me in passing what I term to be a historical accord. The legislation now before this body accommodates both those who adamantly oppose the construction of a dam on the Kings River, CA, regardless of what future circumstances may be, and those who insist that the possibility of building a dam in the future be kept alive. The controversy has been long and hot. It stems from legislation developed in 1963 by our former colleague, Bernie Sisk, to put Tehipite Dome and Cedar Grove into Kings Canyon National Park, which was accomplished in 1965.

It is certainly the view of Mr. Sisk that as a part of the process there was a compromise whereby Rodgers Crossing would be left open to development sometime in the future. I should like to place in the RECORD at this point a formal statement on the subject by Mr. Sisk:

LET'S TALK SENSE ABOUT RODGERS CROSSING DAM

(By B.F. Sisk)

The history of water and power development in the Kings River watershed goes back so many years and involves so many people it is difficult to know where to start. In the early '20s, for instance, the City of Los Angeles proposed that it be given the right to build a series of power dams in the Kings River watershed, but this was vigorously opposed in the San Joaquin Valley.

A good place to start, however, would probably be with the name of Chester H. Warlow, a Fresno attorney and former chairman of the California Highway Commission. Chet was probably best known around the state for his chairmanship of the commission during the development of the state's freeway system. But Chet Warlow was deeply in love with the Sierra. It was a love affair that went back many years. As long ago as 1933, The Fresno Bee reported that the California State Chamber of Commerce had adopted a resolution in opposition to the creation of what is now the Kings Canyon National Park, and that Chet offered the resolution in opposition. He fired off a letter to the editor:

"No such approval of the resolution has been given by me," he wrote, "and at the last meeting of the San Joaquin Council of the state chamber of commerce I strenuously advised against such a resolution and voted against its adoption."

"I am more convinced than ever that the proper protection of the area and the best interests of this community require that the area be given national park status."

Kings Canyon National Park was established less than seven years later—on March 4, 1940—and Chet Warlow was a staunch friend of the Kings River high country from then until his death in the 1970s.

Even as Kings Canyon National Park was being created in 1940, two areas were excluded because of their potential need as reservoir sites. As Secretary of the Interior Stuart L. Udall was to advise the House Interior Committee later:

"The Cedar Grove and the Tehipite Valley areas were excluded from the park because many of those who supported its establishment conditioned their support on provision being made for water developments that would meet the future needs of the San Joaquin Valley of California for hydroelectric power and water for irrigation. At that time, it was thought that adequate water development for this valley necessitated the development of impoundments of the south and middle forks of the Kings River at sites which would have inundated the Cedar Grove and Tehipite Valley areas."

After I went to Congress in 1955 I had an opportunity to spend many enjoyable days and nights in the Kings River back country in the company of Chet Warlow and others—Leon S. Peters and Maynard Munger to name but two. With the construction of Pine Flat Dam, I felt that the time had come to take Tehipite Valley and Cedar Grove into the park and I introduced

legislation to accomplish this in 1963. This legislation was the subject of considerable controversy but in time we were able—thanks in large part to the efforts of Glenn W. Dorfmeier of Fresno—to work out a way to get the job done with the understanding that other possibilities for downstream storage on the Kings River could be explored and developed if it was found that it was feasible.

A historical footnote is necessary to appreciate the sequence of events as they unfolded.

It is well known that the Kings River water users were strongly opposed to any involvement of the Bureau of Reclamation and the Department of the Interior on the Kings River. The Bureau of Reclamation in the 1940s had sought to include development of the Kings River as part of its Central Valley Project. The bureau had an ambitious plan for the development of hydroelectric power resources on the upper north fork of the Kings. The Federal Power Commission doomed the bureau's plans for hydro-development on the north fork when it granted licenses for development there to the Pacific Gas and Electric Company. Several influential voices in the San Joaquin Valley, including The Fresno Bee, urged the FPC to reopen the question and give further consideration to the bureau's plans. The Bee urged federal development on the north fork because of the power that would be needed for pumping at the San Luis reservoir on the West Side. In addition, said The Bee in an editorial on Christmas Day, 1949, "the revenue from power is needed to help amortize the San Luis project and thus bring down water rates on the West Side to within reach of the average farmer. West Side irrigation," said The Bee, "is definitely in the public interest."

The Kings River farmers' opposition to the Bureau of Reclamation was across the board. They wanted to keep the bureau out of the Kings River because of acreage limitations and fears that the bureau would send their water elsewhere as part of a statewide distribution and exchange program. They wanted to keep the bureau out of the north fork power business because they wanted to develop the power resources themselves, or at least to derive some financial benefit from their eventual development. In addition, they wanted to develop power at Pine Flat Dam. (Although no federal power project was authorized in connection with Pine Flat, when the dam was designed, provision was made for installation of power facilities later on.)

The FPC stood fast on the PG&E license on the upper north fork, thus frustrating the bureau's hopes for that development. The Kings River people were worried that the bureau was continuing to maintain an interest in eventually developing the power at Pine Flat, however. They wanted to keep the option open of developing Pine Flat power themselves.

While all of this was going on, the Kings River water users and the Department of the Interior were engaged in a lengthy controversy over the applicability of reclamation law to the waters of the Kings River. This disagreement dragged its way through the federal courts for years.

When we introduced our legislation to add Tehipite Valley and Cedar Grove to the Kings Canyon National Park in 1963, the Kings River people and the Fresno Chamber of Commerce came out strongly and unequivocally in opposition. They recalled

that the justification for leaving them out of the park in the first place was their potential need as power sites, and the question of federal hydroelectric power on the Kings River was still very much a lively and controversial issue. The possibility that the Bureau of Reclamation would one day win the authorization to install power facilities in Pine Flat Dam was just below the level of consciousness on the part of many people.

On July 17, 1963, Chet Warlow wrote me a letter to report on a confidential conversation he had had about a meeting of Kings River irrigation interests the previous day. At the Kings River meeting, he said reservoir sites at Tehipite Valley, Cedar Grove and Rodgers Crossing were discussed. "Rogers Crossing, he said, 'would be used as an after-bay to the upper two reservoirs and serve to permit power facilities at either or both dams to operate continuously through the year. This Rodgers Crossing dam,' he said, 'would supplement the storage of water in the Pine Flat reservoir to the end that both Pine Flat and Rodgers' Crossing reservoirs together would have storage sufficient to hold back the waters to the proper irrigation season.'"

He closed with some flattering references to my "meticulous attention to the entire problem" when in fact it was to people like Chet Warlow and Glenn W. Dorfmeier that the thanks should go.

On February 7, 1964, a letter was sent to me by Dr. Edgar Wayburn, president of the Sierra Club, in which he reported that the Sierra Club board of directors had voted to support our bill. "Can we not find other means of producing the benefits sought from dams at Cedar Grove and Tehipite?" he asked. "Is there not further downstream storage to be developed. . . ?"

The role of Glenn Dorfmeier cannot be overstated. Glenn was the chairman of the Sierra Land Use Committee, a rather small but hardworking group of people who were convinced that multi-purpose use of the Sierra is in everybody's best interest. His group worked tirelessly to try to bring about a resolution of the conflicting views. The Kings River people were in the main opposed very strongly to my bill, but Glenn took great delight in quoting Phil Gordon—long a respected leader in the Kings River group—who said he was opposed to putting reservoirs at Tehipite Valley and Cedar Grove on philosophical grounds—"for the same reason I want to see California's missions preserved or the whooping cranes saved."

The Kings River people were not monolithic in their opposition, but the specter of having the Bureau of Reclamation develop power at Pine Flat Dam was still very much alive.

At Glenn's suggestion, my administrative assistant, Jackson T. Carle, began having some conversation with the officials of the Department of the Interior which Glenn hoped would lead them to abandon their interest in power at Pine Flat Dam. It was reasoned that this, coupled with the possibility of a reservoir at Rodgers Crossing, would be enough to break the logjam.

Although a hearing was held on our Tehipite Valley-Cedar Grove bill in the 88th Congress, because of the controversy we did not press for committee approval and the bill died. In January of 1965 we reintroduced the legislation as H.R. 903.

I do not believe that my interests were narrow. I was mindful of the scenic values of Tehipite Valley and Cedar Grove, but I was also insistent that adequate provision

be made for future water development. In reviewing my congressional files, I find two constituent letters from January of 1965 that bear on this point. In a letter dated January 7th we wrote:

"... I assure you I would not now be urging inclusion of these areas in the Park if it appeared that any substantial amount of additional water could be developed through their use as reservoirs or the (sic) alternate means of conserving an equal amount of water were not available."

Similarly, a letter dated January 11, 1965, says:

"I want you to know also that I am most concerned with conservation of all possible water of the Kings River, and I would not propose that these areas be placed in the Park and thus barred from reservoir development, unless I was sure that equal or greater water conservation on the Kings River can be accomplished without the use of these scenic areas for that purpose."

Also on January 11, 1965, the late Breckenridge Thomas, then the attorney for the Kings River Water Association, wrote to me about the concerns of the local water users with regard to the Pine Flat power. On January 15, we responded in a letter to Breck:

"I am discussing this matter with Department of the Interior people, as well as my California colleagues, and I am hopeful that I can help, providing the plant can be developed as a portion of an economically feasible project which will avoid the necessity for reservoirs at the Tehipite Valley and Cedar Grove sites."

Over the years I have had many friends among the reporters at *The Fresno Bee*. One of them was Karl M. Kidder, whose stories about the national parks and national forests in the Sierra over the years would fill several volumes. Karl was following the Tehipite-Cedar Grove issue closely and on January 17, 1965, in a story that appeared on the front page of the San Joaquin Valley section of *The Bee*, Karl reported at length on the KRWA interest in Rodgers Crossing, including photographs of the potential dam site there.

He wrote, in part:

"A deep and narrow section of the canyon cut by the Kings River just upstream from historic Rodgers Crossing may hold the answer to a recent conservation vs. water storage controversy."

"The section may become the site of a dam which would store Kings River water for San Joaquin Valley farms and make unnecessary the proposed dams which would flood beautiful Tehipite Valley on the middle fork of the Kings and popular Cedar Grove on the river's south fork."

Karl further hinted that Pine Flat and Rodgers Crossing might make a combination of water and power development that could lead the KRWA to abandon its opposition to our legislation.

On February 2, 1965, *The Fresno Bee* editorially urged a renewed effort to get our legislation passed. It noted that the Kings River Water Association "has begun studying alternative sites along the Kings" but said that even so, complacency over our legislation should not be allowed to develop.

On Friday, March 12, 1965, we were able to announce that the Department of the Interior had given assurances that it has no interest in developing the power facilities at Pine Flat. We reported further that Secretary Udall had said he would raise no objections to local interests developing power there. In a Washington dispatch, the

McClatchy Newspapers Service on March 12 reported:

"The KRWA has let it be known it is considering other reservoir sites closer to Pine Flat Dam but, so far, has not withdrawn its opposition to Sisk's legislation. However, the KRWA's directors will meet in Fresno Tuesday (March 16) and, because of today's announcement, they might reconsider their opposition at the meeting."

On the Wednesday, March 17, after the KRWA meeting, we were able to issue a statement that the KRWA had withdrawn all opposition to our legislation. It was a good feeling, and we commended the Kings River leadership for the step they had taken. And we also said:

"I understand the association is continuing its study of alternate water conservation and power development projects on the Kings River which would not require use of the Tehipite Valley and Cedar Grove areas for reservoir purposes and that preliminary findings are favorable. I hope that the decision we secured from the Department of the Interior last week clearing the way for irrigation districts to develop power at Pine Flat Dam may be a material factor in insuring the economic justification for the larger project."

"I want to renew my assurance to the water users that I will continue to give my best effort at the federal level to advance their interests, to get them the water they need and to reduce their water costs by the sale of power, in the same manner that Central Valley Project water users are benefited through power sales."

On page one on March 17, *The Fresno Bee* reported in a story by Jim DuFur that the "lengthy battle to save Tehipite Valley and Cedar Grove from inundation by water storage reservoirs has been won." Jim reported that there had been no "intensive" effort to add Tehipite Valley and Cedar Grove to the park until "the last few years" after the KRWA had begun to study them as reservoir sites.

Jim's story reported that the KRWA had made its decision after the Interior Department cleared the way for local use of Pine Flat power facilities and that the KRWA had "enlarged its water development studies" to consider other areas.

"Specifically," he wrote, "the association now is concentrating its studies on Rodgers Crossing and the Junction Site."

The Dinuba Sentinel, in its edition of March 18, 1985, reported on the breaking of the deadlock and printed the text of a statement issued by the KRWA, in part as follows:

"(C)onfirmation of the Department of the Interior's commitment made in the Pine Flat contracts that it would take no position adverse to the Kings River water users has enabled the Association and its members to look with more confidence upon the possibilities of securing a feasible downstream storage project as an alternative to the Tehipite Valley-Cedar Grove development."

"The importance of the development of power is its use as a means of paying for the cost of storage reservoirs and the availability of Pine Flat power, integrated with an additional storage project, can well make the difference between an economically feasible and an infeasible project."

The following day, *The Bee* expressed editorial approval of the new developments and urged continued support for the legislation. The editorial said:

"The KRWA says it can develop an alternative water storage project downstream on

the Kings now that it is sure it can generate power at Pine Flat Dam. Thus the KRWA feels it is discharging its responsibility to the water users."

"That is all to the good. Even if there were no alternative storage sites, however, Cedar Grove and Tehipite would belong in the park."

An interesting footnote is that on the very day that the KRWA cleared the way for the legislation, the president of the Sierra Club, Will Sirl, wrote to us as follows:

"This note is just to tell you once again of our appreciation of your good efforts in trying to add Cedar Grove and Tehipite Valley to Kings Canyon National Park. You can rest assured that we will do everything we can to help you in securing the passage of this legislation."

"We have both been working on this effort to complete the park for a long time. When we succeed, your contribution will be remembered most especially."

Two months later the House subcommittee on national parks approved our legislation. The next day, the McClatchy Newspapers' Edward H. Dickson included this in his report on the action:

Sisk noted that last year both the Kings River Water Association and the California State Chamber of Commerce opposed the legislation on the ground the sites still might be needed for water and power development.

But, he said, both organizations now are in support because the KRWA has decided on other sites on the Kings River as a source for water and power.

The rest is history. Our bill passed Congress without further ado and was signed into law. But that is not all there is to the story. Within a decade, the country and the world had entered into a period of economic turmoil the likes of which had not been seen before. The oil embargo imposed by the mid-eastern countries and the wrenching inflation which gripped the nation for several years were accompanied by serious dislocation in the nation's farm economy.

All over the country, hydroelectric projects which were once considered not feasible suddenly became feasible because of the cost of alternative sources of energy. New federal policies on local cost sharing of water projects changed the economic equation governing water project evaluations. Soaring federal deficits and a rising antipathy to federal water projects for agriculture forced water project sponsors to look at their local options more closely.

In our own area, the Kings River Conservation District and the Kings River Water Association decided they had to take a serious look at Rodgers Crossing. What the Corps of Engineers had decided was not feasible from the federal standpoint in 1972 might not necessarily be unfeasible from the local standpoint in the mid-'80s. So they began to evaluate the possibilities. Given the history of the development of Kings Canyon National Park, Tehipite Valley and Cedar Grove, and the Pine Flat power facilities, they quite reasonably expected that their efforts would be sympathetically received.

Instead, there are those who want once more to slam the door in the face of the Kings River water users. In reality, they should be given a pat on the back for trying to do what they can—without the use of scarce federal dollars—to improve their own lot. And it is not only their lot, but the lot of all of us that will be improved.

I am constantly amazed at those among us who seem willing to hobble our farmers.

They seem not to realize that farming is what makes this valley what it is. When the farmers catch cold, everybody sneezes. We in the San Joaquin Valley cannot survive—let alone prosper—by doing each others' laundry. We need a healthy agriculture. Rodgers Crossing Dam can contribute to that end, and we ought not put any obstacles in its path.

There are those who will argue that what was done or said 20 or 30 years ago is unimportant. I know we have to be ready to adapt to change, and all of us have to do this from time to time. But this and future generations will have to live together and deal with one another with some reasonable expectation that a man's word is his bond. Because an agreement isn't reduced to formal language on a parchment scroll, and sworn to before a notary public and published in 39 copies, doesn't diminish its worth as an agreement. It is in our own best interest to keep faith with our Kings River friends because they, along with farmers everywhere in this valley, keep us in food, clothing and shelter.

We need to remember that. If a dam at Rodgers Crossing is feasible, and if the leadership of the Kings River area decides a dam ought to be built there, it ought to be built.

Mr. Speaker, I should also like to place into the RECORD a contemporaneous article of the *Fresno Bee* on the same point, as follows:

ENGINEERS PROBE ALTERNATE SITES FOR KINGS RIVER DAM

CEDAR, TEHIPITE BATTLE

(By Karl M. Kidder)

A deep and narrow section of the canyon cut by the Kings River just upstream from historic Rodgers Crossing may hold the answer to a recent conservation vs. water storage controversy.

The section may become the site of a dam which would store Kings River water for San Joaquin Valley farms and make unnecessary the proposed dams which would flood beautiful Tehipite Valley on the middle fork of the Kings and popular Cedar Grove on the river's south fork.

Rodgers Crossing, which would be inundated if a dam were to be built just below it, has been used for years to get cattle herds across the river canyon on the way to and from summer pasture.

Here, where the river serpentine its way toward Kirch Flat Campground and its confluence with the north fork and with Dinkey Creek, five engineers are studying a mass of detail.

They seek to determine if a dam is feasible and what would be the cost of erecting a dam, say, 300 feet high, as compared to the benefits to the Kings River Water Association from storage of about 200,000 acre feet of water.

The engineers, hired by the KRWA, also are studying a possible site several miles up river where the middle and south forks come together west of Boyden's Cave. Both of these are alternate site studies ordered when a storm of protests arose over proposals to build dams which would inundate the Tehipite and Cedar Grove areas.

The controversy goes back to 1963 when Congressman B. F. Sisk of Fresno introduced legislation to put Tehipite and Cedar Grove, both highly scenic areas, into the Kings Canyon National Park. The areas now are in national forests.

Actually, the story goes back even further. Many years ago, when the park was created, these two areas were left out because someone expressed the belief that one, or both of them, might some day be needed as dam-sites to hold back some of King's annual runoff.

Sisk's introduction of his bill was the signal for a KRWA announcement that the association considered the sites still valuable as locations for water storage. The response to the KRWA announcement was loud and clear.

For one, the Sierra Land Use Committee, a group dedicated to safeguarding the public's interest in Central California's natural resources, collected thousands of names on petitions urging congress to pass Sisk's bill.

The highly vocal Sierra Club added its voice, saying dams at Tehipite and Cedar Grove would "desecrate areas of wilderness beauty, of which there are a scant few remaining in California."

Various water interests allied themselves with one side or the other, and a subcommittee of the house committee on interior and insular affairs, held a hearing on Sisk's proposal in Washington.

No decision has been made by the subcommittee. The congressman has resubmitted his bill to the present congress.

Meanwhile, the KRWA engineers, in their search for alternate sites, looked at many along the stretch of the river, keeping in mind one important aspect of their search: Whatever site is selected must be capable of producing power in sufficient quantities to pay the cost of building the dam.

In purely preliminary studies they determined, for instance, that the Junction Site where the middle and north forks of the Kings come together, would provide an ideal power site, but a poor one from a standpoint of reservoir area.

Access to the site deep in the river gorge would be difficult. The very steepness of the canyon walls, the steep gradient of the stream flow and other factors would dictate a dam at least 400 feet high to store the required 200,000 acre feet of water.

At the Rodgers Crossing site, however, the engineers' studies indicate a dam about 300 feet high would be required to provide the same storage. Power aplenty could be developed at the Junction Site, but little, if any, could

Thus in recognition of the controversy and of the issue of whether a dam at Rodgers Crossing should be allowed, Congress now makes as the crux of this legislative accord a decision expressly not to designate the lower 11 or so miles of the main stem of the Kings River as a component of the Wild and Scenic River System.

Before proceeding further, Mr. Speaker, I should like to seek a response to a question I have of the chairman of the Subcommittee on National Parks and Public Lands, Mr. VENTO.

Mr. VENTO. Mr. Speaker, if the gentleman will yield, I would be happy to answer any questions.

Mr. PASHAYAN. I appreciate that. I have but one question.

Is it the case that the Congress would be required to amend this act, and not the Wild and Scenic River Act, to allow the construction of any

dam within the Kings River Special Management Area?

Mr. VENTO. Mr. Speaker, if the gentleman will yield, yes, that is correct.

Mr. PASHAYAN. Mr. Speaker, I thank the subcommittee chairman.

Mr. Speaker, the Kings River, however, is protected within a special management area whereby construction of a dam would be permitted only with the specific authority of the Congress. This is accomplished in two ways—the prohibition on the use of Federal lands for the "construction of any dam or diversion within the Kings River Special Management Area," and on obtaining a license from the Federal Energy Regulatory Commission without Congress' approval. Under the act, the Kings River Conservation District could, however, make studies, including within the special management area, for any purpose the district deems appropriate, including possibly building a dam at Rodgers Crossing.

Equally at the heart of the compromise, too, is the agreement by my colleague Mr. LEHMAN to support raising the Pine Flat Dam, already on the Kings River, by 20 feet as a flood control project to be engineered and constructed by the Corps of Engineers. This is to begin immediately, and in fact Mr. LEHMAN has already joined in my request of the Appropriations Committee for the funds. I certainly hope my colleagues will support this measure, as it is, again, a part of the compromise as much as H.R. 799.

H.R. 799 as developed by the Committee on Interior and Insular Affairs designates two of the undeveloped forks of the Kings River—the south and middle forks—as well as nearly 6 miles of the main stem of the Kings River as components of the Federal Wild and Scenic River System.

In establishing the Kings River Special Management Area—some 45,000 acres—along either side of the main stem of the Kings River, the Forest Service is directed to protect the areas' natural, archaeological, and scenic resources, as well as to provide for appropriate fish and wildlife management.

While recognizing the natural attributes of the area, which were spelled out in the hearings before the Subcommittee on National Parks and Public Lands, the legislation also permits grazing, hunting, fishing, mining as now exists, and some harvesting of timber if necessary because of fire, insects or disease. Off-road vehicle use would be permitted to existing areas, and a management plan would provide for the development of hiking trails, with special emphasis directed to the area between Garlic Creek and Little Tehipite Valley. Private right of ingress and egress is permitted.

In closing, Mr. Speaker, I want to thank the chairman of the subcommit-

tee, the gentleman from Minnesota [Mr. VENTO], for his patience and counsel. Also, I should be remiss if I did not acknowledge the tireless work of Dale Crane and Charlene Seamens of the majority staff and Lori Stillman of the minority staff in helping to bring this compromise to fruition.

Also, Mr. Speaker, a special thanks to Mr. Jeff Taylor, manager-engineer of the Kings River Conservation District, and to Mr. Don Furmann of the Committee to Save the Kings River. Both of these gentlemen were called upon by my colleague from California, Mr. LEHMAN, and myself, to accomplish the Herculean task of assuring support from the interests they ably represented throughout the negotiations on the product now pending before this body.

I again urge my colleagues to join in helping to forge this historic accord into the law of the land by supporting H.R. 799 as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. VENTO. Mr. Speaker, I yield 7 minutes to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN of California. Mr. Speaker, I thank my colleague, the gentleman from Minnesota, for yielding me this time.

At the outset, Mr. Speaker, I join with my colleague, the gentleman from California [Mr. PASHAYAN], and express my thanks, as he did, to the many people on my staff and his staff, on the Committee To Save the Kings River Conservation District, on the staff of the gentleman from California [Mr. LAGOMARSINO], and on the staff of the gentleman from Minnesota [Mr. VENTO], who made this day possible.

It is with an enormous pride that I rise in support of H.R. 799, as amended. For those of us who care deeply about the Kings River and Kings Canyon, we hope and believe today marks the end of a long, long road. For me personally, this road began as a very young man when I first hiked alongside the Kings River. At that time I did not know that Kings Canyon was the deepest canyon in North America. I did not know that the river would be designated as a wild trout stream, the largest in California. I did not know that this river had the longest vertical drop of any river in the United States. I did not know that the very place I walked would become a national recreation trail. I did know that the River of Holy Kings gave me and thousands of others the solitude and spiritual renewal that only this kind of experience in nature can bestow.

For the last quarter of a century the remaining undammed Kings River has been threatened by massive hydroelectric projects, with Rodgers Crossing Dam the most recent proposal. This

dam would have flooded within 1½ miles of the deepest point in Kings Canyon and would have destroyed rafting, camping, fishing, and hiking as it exists today in the most accessible portion of the canyon. And what would have been gained? About 45,000 acre-feet of water, less than the city of Fresno currently recharges in a year and only 3 percent of the 1.5 million acre-feet ground water overdraft in the southern San Joaquin Valley. Because Rodgers Crossing could not make it financially as a water project, it was designed so that electric consumers in California would bear the cost. And even as a hydroelectric project, the economics were extremely poor with the vast majority of studies showing negative benefit-cost ratios.

Mr. Speaker, while I revere Kings River and Kings Canyon, I also have the greatest respect for agriculture and water needs of the Central Valley of California. I represent the Kings River Service Area. My father farmed in the Consolidated Irrigation District all his life. The Kings River Conservation District and the Kings River Water Association have done a lot to make our valley a better place to live.

Just a few weeks ago, these conflicting goals—saving the Kings River and obtaining more water for the San Joaquin Valley—were on a collision course.

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However, because of the very good will of all parties involved in this issue, a compromise was reached which accommodates both those who wish to protect our landscape and those with very real needs for additional water. I wish to particularly commend Mr. PASHAYAN, the Kings River Conservation District, and the Committee To Save the Kings River for their willingness to negotiate for the good of all the people of our valley and for the needs of future generations.

H.R. 799 contains portions of the compromise and aspect of the agreement will be accomplished in other forums. Briefly, Mr. Speaker, the compromise we reached will:

First. Designate approximately 81 miles of the Middle and South Forks and main stem of the Kings River as part of the National Wild and Scenic Rivers System.

Second. Require that about 11 miles of the main stem of the Kings River from elevation 1,595 feet mean sea level down to elevation 900 feet mean sea level will be protected by section 7(a) of the National Wild and Scenic Rivers System in the same manner as if this portion of the river were designated as part of the national system. This means that the Federal Energy Regulatory Commission is prohibited from issuing licenses for dams or diversions on this stretch of the river.

Third. Leave out sufficient mileage on the main stem of the Kings River—from elevation 990 feet to the existing Pine Flat Reservoir—from H.R. 799 so that in the future Pine Flat Dam can be raised by about 20 feet. Raising Pine Flat Dam will generate from 20,000 to 30,000 acre-feet of water for irrigators in the San Joaquin Valley.

Mr. PASHAYAN. Mr. Speaker, will the gentleman yield?

Mr. LEHMAN of California. I yield to the gentleman from California.

Mr. PASHAYAN. I thank the gentleman for his efforts in this regard and I am just pleased to emphasize that the heart of this compromise is really two pieces of legislation. This is one, and the other is raising Pine Flat Dam. Although that is to follow, I appreciate and I know I have the commitment from my colleagues to make every effort and I take that our colleagues will understand that this is a two-part compromise and not a one-part compromise. I am sure the gentleman joins me in this.

Mr. LEHMAN of California. I thank the gentleman for that. Both I and the Committee To Save the Kings River have long expressed our belief that raising Pine Flat Dam is a viable, nonenvironmentally damaging alternative.

Mr. Speaker, the fourth thing this legislation would do is establish a new Kings River Special Management Area encompassing portions of the river and about 48,000 acres of land on either side of the river. The new special management area will be managed for protection of recreation, scenic resources, and wildlife. No Federal lands within the Kings River Special Management Area may be used for the construction of dams or diversions.

Fifth. Permit the Kings River Conservation District to conduct its own studies as it deems appropriate. I would note that just last week, the KRCD board voted to conclude its studies of Rodgers Crossing Dam.

Mr. Speaker, I am especially pleased that in addition to finally resolving the status of the Kings River we have expanded the legislative scope of H.R. 799 to resolve other management issues in Kings Canyon. The establishment of the Kings River Special Management Area addresses esthetic, recreational, and wildlife concerns in Kings Canyon in a manner rivaled only by the special management areas at Lake Tahoe and Mono Lake.

Mr. Speaker, at this time I wish to commend my chairman of the National Parks and Public Lands Subcommittee who continues to provide this House with the strength needed to protect our natural resources and the diplomacy to do so harmoniously. His very able staff director, Dale Crane, also deserves high praise for consistently giving us wise counsel, and long, long hours of quality staff work. Our

full committee chairman and friend, Mo UDALL, and our distinguished minority expert on national parks, BOB LAGOMARSINO deserve recognition for their efforts to resolve this issue, as do Congressmen MILLER, COELHO, and EDWARDS and others in our California delegation; 138 Members of this House coauthored this resolution. Finally, it goes without saying that this compromise owes a great deal to the leadership of Senator CRANSTON who introduced the Senate companion bill to H.R. 799. Because of the interest and support of Senators CRANSTON and WILSON, I fully expect to see H.R. 799 become the law of the land in the 100th Congress.

Mr. Speaker, I believe we have reached a fair and equitable compromise on the Kings River which will last for as far in the future as I can see. With the passage of this legislation, the Kings River will remain a "national river, a river for all people, for all time." I urge this House to act swiftly on H.R. 799 so that future generations of Americans can experience the spirit and the splendor of the River of Holy Kings.

Mr. PASHAYAN. Mr. Speaker, will the gentleman yield?

Mr. LEHMAN of California. I yield to the gentleman from California.

Mr. PASHAYAN. I thank the gentleman.

Mr. Speaker, I, too, was remiss in not mentioning the other Senator, Senator WILSON, whose support we sought during the negotiations and whose support we felt was essential to the consummation of the compromise.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding to me.

Mr. Speaker, I realize that, with all the Members who have cosponsored this, we have kind of a love-in out here on the floor with regard to this bill, but I would like to mention the fact that the administration does have some objections to the bill. Some of their objections, it seems to me, are not of much merit and generally I think it is a pretty good bill and I would be supportive of it. Except that I find down, buried in the midst of it—what do we have? Another example of congressional pork barrel.

What we have in this country is people paying taxes to do things that are necessary in the Federal Government; 2,350 families this year are going to pay all of their taxes so that we can do one thing with them and that is build trails in wilderness areas; 2,350 American families are going to pay all of their taxes so that we can build trails in wilderness areas. In this particular bill, we require that a 17-mile trail be built in this wilderness area. For that trail to be built, it is

going to take half of all the money available for 1 year just to build that trail. That means that 1,170 families are going to pay all of their taxes in 1 year to do nothing but build this one trail.

What I am suggesting is that the administration says it is unnecessary to have that trail built; it is at the very least, as I understand it, over extremely steep and rocky terrain and it seems to me to devote one-half of the entire trails' budget of the National Park Service or the National Forest System to build this one trail is really unnecessary and unwarranted.

It is one little line in the bill, one tiny, little line in the bill, but it is a requirement that will usurp the taxpayer funds of an awful lot of money for one little project.

I would suggest that, if we are going to do some of these things around here and we are going to do good and worthwhile things, that we ought to leave the pork out and allow the American people to share broadly with this rather than narrowly in this particular instance.

Mr. PASHAYAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 799, to designate approximately 81 miles of the main stem, south fork, and middle fork of the Kings River in California as a component of the Wild and Scenic Rivers System.

The headwaters and a substantial portion of this magnificent river are located in Kings Canyon National Park. Other portions of the river flow through National Forest lands included in the Sierra and Sequoia National Forests. Several miles of the river flow through designated wilderness areas and further planning areas which may be designated as wilderness in the future.

There is no question that the Kings River meets the criteria for wild and scenic designation. It is well-known for its scenic, geologic, historic, cultural, and fish and wildlife values. The Kings River is also heavily used by the public including many of my constituents, for a variety of recreational activities. These include: rafting, kayaking, camping, swimming and picnicking. In addition, fishing is extremely popular along the main stem of the Kings, which is the largest wild trout fishery in the State.

The Kings River carves a magnificent canyon and plunges several thousand feet in its journey to the ocean. The canyon supports a wide variety of plants and wildlife, making it a popular area for hiking and hunting.

The Kings was recommended as suitable for further study or designation as a wild and scenic river in the Na-

tional Park Service 1982 nationwide rivers inventory. In addition, it was studied for potential wild and scenic designation by the Sequoia and Sierra National Forests in the forest planning process. In the draft forest plans, all of the river segment except for the 10 miles within the proposed Rodgers Crossing Dam site were recommended for designation by the Forest Service and the National Park Service.

Mr. Speaker, due to the proposed Rodgers Crossing Dam on the Kings River, this legislation was very controversial during subcommittee action. The Kings River conservation district has not yet completed feasibility studies on the dam proposal. The bill, as introduced, would have precluded further study and/or construction of the dam. However, I am pleased that all interested parties were able to resolve this difficult issue. I would like to commend the bill's sponsor, my friend and colleague from California, Mr. LEHMAN, and my friend and colleague in whose district the Kings River lies, Mr. PASHAYAN, for their hard work and efforts in negotiating an outstanding compromise. I would also like to commend the subcommittee chairman, Mr. VENTO, for moving this bill forward.

Under the compromise, the entire Kings River is designated as wild and scenic except for the lower 11 miles. This segment, while not designated, is accorded wild and scenic protection from dams, diversions, and impoundments. In addition, a 48,000-acre special management area is established along this segment of the river to protect the natural, archaeological, and scenic resources of the area, and to provide for public recreation use, enjoyment and appropriate fish and wildlife management. While feasibility studies on the proposed Rodgers Crossing may proceed under the compromise, no dam could ever be constructed in this area unless specifically authorized by Congress. Finally, the compromise would allow for raising Pine Flat Reservoir by 20 feet as a possible alternative to construction of a new dam. Such action would, however, also require congressional authorization. I believe this is a significant compromise which protects the resources of the Kings River while allowing for long-range planning for future water needs in the Kings River area.

Mr. Speaker, I believe H.R. 799 is an excellent bill which will protect and preserve the remarkable values of the Kings River for the public's enjoyment today and in the future. I strongly support its passage and urge all of my colleagues to approve this important legislation.

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Mr. VENTO. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I thank the chairman of the committee for yielding me this time.

Mr. Speaker, I congratulate all the members of the Interior Committee who did such a magnificent job in working out the compromise to make it possible to save this magnificent natural resource and, of course, in particular the chief sponsor of the bill, the gentleman from California [Mr. LEHMAN], and the gentleman from California [Mr. PASHAYAN], we are very grateful to them, to the gentleman from California [Mr. LAGOMARSINO] and, of course, the gentleman from Minnesota [Mr. VENTO]. This is indeed a happy day not only for California, not only for the West, but for the entire country. This is California's jewel. This is the western jewel, the Kings River, the highest and the best.

For those of you who have not had the opportunity to visit the Kings, let me say that it deserves protection. The Kings claims two national superlatives. First, the Kings flows undammed from its glacial headwaters to Pine Flat Reservoir dropping vertically for 11,400 feet. Second, the Kings has carved the deepest canyon in North America, an 8,240-foot wonderland of granite domes and limestone spires. The Kings is a natural resource and ecological laboratory of national significance.

The Kings River is the largest of California's wild trout streams, a system of blue-ribbon trout fisheries designated, managed, and protected by the State. The river water and the surrounding land of the Kings draws tens of thousands of visitors each year to enjoy whitewater rafting, hiking, camping and many other outdoor sports.

Congress has already acknowledged the national significance of the middle and south forks of the Kings by including them both in the National Park and Wilderness Systems. With H.R. 799 we will add these forks to a third system, the Wild and Scenic Rivers System. H.R. 799 will also extend protection to the lower 11 miles of the main fork of the Kings.

To protect the scenic, natural, archaeological and recreational values of the Kings River and to ensure the enhancement of these values, H.R. 799 will establish a special management unit within the National Forest System. By establishing the Kings River Special Management Area, Congress will recognize not only the importance of protecting the Kings but also recognizing the importance of preserving the unmatched canyon through which it flows. H.R. 799 also contains a prohibition of dam construction on the 17 miles of the Kings' main fork.

The Kings River deserves your support. It is truly a magnificent natural resource.

I urge a unanimous vote.

Mr. VENTO. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. COELHO].

Mr. COELHO. Mr. Speaker, I am pleased to support H.R. 799, a bill introduced by my friend and colleague from California, RICHARD LEHMAN. This legislation is intended to protect the Kings River above Pine Flat Reservoir from further development.

H.R. 799, as amended, embodies a historic compromise worked out between Congressmen LEHMAN and PASHAYAN regarding the future of the headwaters and canyons of the Kings River.

The Kings River shares a great deal with a river I deeply care about in my district—the Merced. Both rivers originate high in the Sierra Nevada within great national parks. Both the Merced and the Kings have carved canyons of incredible depth and beauty—areas that hundreds of thousands of Americans visit each year.

The Kings and the Merced are also workhorse rivers. They have been developed to provide flood control, irrigation water, and hydroelectric power for the fertile lands of the San Joaquin Valley. These rivers are the lifeblood of the valley's agriculture and their canyons are the crown jewels of the Sierra Nevada.

Unfortunately, the Merced and the Kings have shared a common threat from hydroelectric proposals that would have modified these rivers forever, destroying the precarious balance that exists. The controversy regarding the Kings was especially difficult for me.

Like my colleagues Congressmen LEHMAN and PASHAYAN, I respect those within the Kings River Conservation District who proposed to dam the Kings again at Rodgers Crossing. However, I strongly support protection for the undammed sections of the river above Pine Flat Reservoir because it is the right thing to do.

H.R. 799, as amended, represents a fair balance between the interests of preservationists and developers. The Kings River Conservation District has won the right to study and develop the raising of Pine Flat Dam by 20 feet—a project that would yield substantial new irrigation water.

Preservationists' concerns have been addressed by a congressional prohibition on dam construction on the main fork of the Kings River with the same protections as are afforded rivers placed within the National Wild and Scenic Rivers System. In addition, the canyon of the main fork will receive the national recognition and protection it deserves through creation of the Kings River Special Management Area.

H.R. 799, as amended, will end decades of acrimonious debate over the Kings River and the Rodgers Crossing Dam proposal. It is a sound compromise. I salute the efforts of Congressmen LEHMAN and PASHAYAN and I urge my colleagues in the House to support this legislation.

Mr. VENTO. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I rise in strong support of H.R. 799 to designate segment of the Kings River in California as a wild and scenic river. This legislation is a compromise which was developed by my Interior Committee colleagues, Congressmen RICHARD LEHMAN and CHIP PASHAYAN. With their help, the Interior Committee unanimously voted to report this bill. I wish to commend them as well as Congressmen VENTO and UDALL for their leadership in protecting the Kings River.

There are several important components of the legislation. About 81 miles of the river beginning at the headwaters in Kings Canyon National Park will be included in the National Wild and Scenic River System.

The compromise also establishes a Kings River Special Management Area on both sides of the river. This area will be managed by the U.S. Forest Service to protect natural, aesthetic, wildlife, archaeological, and recreational values. Such activities as timber harvesting will not be permitted in the Kings River Special Management Area.

Having spent a great deal of time in the Kings River area, I am aware of its recreational values. The Kings is the largest of California's designated wild trout streams. It's also a favorite place for those of us who enjoy hiking, camping, and river rafting throughout the year.

Mr. Speaker, I encourage my colleagues to join me in support of H.R. 799.

Mr. VENTO. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN of California. Mr. Speaker, I would like to ask a few questions of the gentleman from Minnesota [Mr. VENTO] for the purpose of clarifying congressional intent with regard to H.R. 799 as amended.

If at some future date proponents of Rodgers Crossing Dam or proponents of any other dam or diversion wish to construct at dam or diversion which would fall between elevation 990 feet mean sea level and 1,595 feet mean sea level on the main stem of the Kings River, what Federal legislative conditions must be met in order for them to go forward with such project?

Mr. VENTO. Mr. Speaker, I am happy to answer the gentleman's question. In addition to any other conditions which any proponent of dams or

diversions must meet for projects which would lie between elevation 990 feet mean sea level and 1,595 feet mean sea level on the main stem of the Kings River, H.R. 799 as amended would impose a minimum of two additional requirements.

First, no dam or diversion in this location could be allowed unless that provision of section 2(h) of H.R. 799 which requires that this portion of the Kings River is subject to the provisions of section 7(a) of the Wild and Scenic Rivers Act in the same manner as if it were designated as part of the national wild and scenic rivers system is repealed; and

Second, no dam or diversion in this location could be allowed unless that provision of section 2(h) of H.R. 799 which prohibits the use of Federal lands in the special management area created by H.R. 799 for the construction of any dam or diversion is repealed.

Mr. LEHMAN of California. I thank the gentleman. Is it correct to say that in applying section 7(a) of the National Wild and Scenic Rivers Act to that portion of the main stem of the Kings River which lies between 990 feet mean sea level and 1,595 feet mean sea level that the Federal Power Commission shall not authorize the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works on or affecting this portion of the river nor shall any department or agency of the Federal Government assist in any way in the construction of any water resources project which would have a direct and adverse impact on the values of this portion of the Kings River in the same manner as if this portion of the river were designated as part of the national wild and scenic river system?

Mr. VENTO. The gentleman is correct in his interpretation of H.R. 799 as amended.

Mr. LEHMAN of California. To further clarify congressional intent with regard to H.R. 799 as amended, is it the understanding of the gentleman that applying section 7(a) of the Wild and Scenic Rivers Act to that portion of the Kings River from 990 feet MSL to 1,595 feet MSL as if it were designated as part of the National Wild and Scenic Rivers System would prohibit any dams or diversions outside this portion of the river which would inundate or dewater the main stem of the Kings River which is protected pursuant to section 2(h) of H.R. 799?

Mr. VENTO. Yes.

Mr. LEHMAN of California. I thank the gentleman. I think it is important for the legislative history of H.R. 799 to understand that protection of the Kings River from its headwaters in Kings Canyon National Park to elevation 990 feet is certainly no less than if the entire mileage were designated as

part of the National Wild and Scenic Rivers System. In fact, because of the added protections provided by the special management area and language specifying that no Federal lands may be used for construction of any dam or diversion within that special management area, Congress has added protections to the Kings River that few rivers in the United States enjoy.

I say to the gentleman from Minnesota [Mr. VENTO] for the RECORD, I would like to confirm congressional intent for leaving undesignated that portion of the main stem of the Kings River from 990 feet downstream to the existing Pine Flat Reservoir. When I introduced H.R. 799, protection for the middle and south forks of the Kings River and the main stem of the Kings River extended from the headwaters in Kings Canyon National Park all the way down to the existing Pine Flat Reservoir. In H.R. 799 we have left a very small undammed portion of Kings River out of H.R. 799 for the specific purpose of allowing the existing Pine Flat Reservoir to be raised by about 20 feet. Is that the committee's understanding of H.R. 799 as amended?

Mr. VENTO. That is correct.

Mr. LEHMAN of California. Further clarifying the intent of H.R. 799 as amended, does the establishment of a special management area preclude any future designation of the Kings River from elevation 990 feet MSL to 1,595 feet MSL as part of the National Wild and Scenic Rivers System?

Mr. VENTO. Absolutely not.

Mr. LEHMAN of California. Mr. Speaker, one final point to the gentleman from Minnesota [Mr. VENTO] that I would like to clarify, and that is probably as significant as any other aspect of this delicate compromise. Is it the understanding of the gentleman that within the special management area the Forest Service should conduct vegetative management studies to improve the habitat only for birds and mammals?

Mr. VENTO. Mr. Speaker, if the gentleman will yield, the gentleman is not getting at the fact that coincidentally it might help the habitat for snakes?

Mr. LEHMAN of California. Rattlesnakes. The gentleman is very perceptive. I have made ironclad commitments that this legislation would do nothing to improve the habitat of western rattlesnakes. If I break that commitment, I am afraid this whole compromise will bite the dust.

Mr. Speaker, I thank the gentleman. It is really difficult to make everyone happy, but we do try.

Mr. PASHAYAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I should like to ask the third point, could we please go over the third point again in the colloquy

between the gentleman from Minnesota [Mr. VENTO] and the gentleman from California [Mr. LEHMAN]?

Mr. VENTO. If the gentleman would like, we are on page 3—I am sorry.

Mr. Speaker, could the gentleman reiterate what particular phrase he is asking about?

Will the gentleman yield to me on his time?

Mr. PASHAYAN. Yes, of course.

Mr. VENTO. We have plenty of time.

Mr. PASHAYAN. Yes, indeed.

Mr. VENTO. The gentleman from California [Mr. LEHMAN] clarified with me the congressional intent with regard to H.R. 799 with the understanding that applying section 7(a) of the Wild and Scenic Rivers Act to that portion of the Kings River which is of concern to the gentleman, that is from the 990 mean sea level to 1,595 feet, as if it were designated part of the Wild and Scenic Rivers Act, will prohibit any dams or diversions outside the portion of the river which would inundate or dewater the main stem of the river, which is protected pursuant to section 2(h) of the bill, and my answer was "Yes."

Mr. PASHAYAN. Yes, indeed. In other words, there is no intent there to designate it as part of the Wild and Scenic Rivers Act; it is just treated as it were, which in fact it is not.

Mr. VENTO. Mr. Speaker, if the gentleman will yield further, I think the point here is that while we are putting up the hurdle, it is not the Wild and Scenic Rivers Act, which I think is the gentleman's concern, although the requirements are the same, in responding to the gentleman, the requirement would be to amend the legislation that we have before us should it become law or something similar.

Mr. PASHAYAN. And only the legislation we have before us.

Mr. VENTO. That is correct. That would change it.

Mr. PASHAYAN. Mr. Speaker, I thank the distinguished chairman of the subcommittee.

Mr. LEHMAN of California. Mr. Speaker, I would like to respond to the Forest Service's estimates of the cost of a trail from Garlic Creek to Tehipite Valley. I believe the Forest Service's comments grossly overstate the cost of this trail. First of all the trail could be built over many years, not in 1 or 2 as suggested by the administration. Second, the trail would very likely receive non-Federal funds from State, local, or private sources. Finally, there has been a long tradition in California of partially defraying the costs of natural resource work through the assistance of the California Conservation Corps.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PASHAYAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 799, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to designate a segment of the Kings River in California as a wild and scenic river, and for other purposes."

A motion to reconsider was laid on the table.

HIGHER EDUCATION TECHNICAL AMENDMENTS ACT OF 1987

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1846) to make certain technical and conforming amendments in the Higher Education Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Higher Education Technical Amendments Act of 1987".

(b) REFERENCE.—References in this Act to "the Act" are references to the Higher Education Act of 1965.

SEC. 2. INSTITUTIONAL AID.

Title III of the Act is amended—

(1) in section 311(b)(1), by striking out "section 358(a)(1)" and inserting "section 360(a)(1)";

(2) in section 312(b)(1)—

(A) by inserting "which" before "is" each place it appears in subparagraphs (C) and (D);

(B) by inserting "which" before "has" in subparagraph (E); and

(C) by inserting "which" before "meets" in subparagraph (F);

(3) in section 323(a), by striking out "section 358(a)(2)" and inserting "section 360(a)(2)";

(4) in section 325(a)(1), by striking out "section 322" and inserting "section 323";

(5) in section 326(c), by striking out "section 333" and inserting "section 332";

(6) in section 332(f)(1), by inserting "(or section 355)" after "part A or B";

(7) in section 351(b)(6), by striking out "section 356" and inserting "section 357";

(8) in section 352(a)(2), by striking out "low- and middle-income" and inserting "low-income";

(9) in section 352(b), by adding at the end thereof the following:

"(3) The Secretary may waive the requirement set forth in section 312(b)(1)(E) in the case of an institution located on or near an Indian reservation or a substantial population of Indians, if the Secretary determines that the waiver will substantially increase higher education opportunities appropriate to the needs of American Indians."

SEC. 3. PELL GRANTS.

(a) CLARIFICATION OF REFERENCE.—Section 411(g)(2) of the Act is amended by striking

out "paragraph (1)" and inserting "paragraph (1)(B)".

(b) **EXCLUSION OF FORCED SALE PROCEEDS.**—(1) Section 411A of the Act is amended by adding at the end thereof the following new subsection:

"(b) **EXCLUSION OF FORCED SALE PROCEEDS.**—In the computation of family contributions for the program under this subpart for any academic year, there shall be excluded from family income any proceeds of a sale of farm or business assets of that family if such sale results from a voluntary or involuntary foreclosure, forfeiture, or bankruptcy or an involuntary liquidation."

(2) Section 411B(g) of the Act is amended—

(A) by striking out "paragraphs (1) through (7)" in the matter preceding paragraph (1) and inserting "paragraphs (1) through (6)"; and

(B) by striking out paragraph (7).

(3) Section 411C(f) of the Act is amended—

(A) by striking out "paragraphs (1) through (7)" in the matter preceding paragraph (1) and inserting "paragraphs (1) through (6)"; and

(B) by striking out paragraph (7).

(4) Section 411D(f) of the Act is amended by striking out paragraph (5).

(c) **TREATMENT OF EXCLUDABLE INCOME.**—(1) Sections 411B(d)(1)(A), 411C(c)(1)(A), and 411D(c)(1)(A) are each amended by inserting before the semicolon ", less any excludable income (as defined in section 411F(9))".

(2) Section 411B(i)(1)(A) of the Act is amended—

(A) by striking out "other than amounts earned under part C of this title"; and

(B) by inserting before the semicolon ", less any excludable income (as defined in section 411F(9))".

(d) **EFFECTIVE FAMILY INCOME.**—Section 411B(d)(1) of the Act is amended—

(1) by striking out "and" at the end of subparagraph (A);

(2) by striking out "minus" at the end of subparagraph (B) and inserting "and"; and

(3) by inserting after such subparagraph the following:

"(C) one-half of the student's total veterans educational benefits, excluding Veterans' Administration contributory benefits, expected to be received during the award period, minus".

(e) **CONTRIBUTION FROM STUDENT'S AND SPOUSE'S ASSETS.**—Section 411B(i) of the Act is amended by inserting before the period at the end thereof the following: ", except that in the case of a student who is a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(f) **ASSESSMENT OF DISCRETIONARY INCOME.**—(1) Section 411B(f)(1) of the Act is amended to read as follows:

"(f) **ASSESSMENT OF DISCRETIONARY INCOME.**—(1) The discretionary income that is assessed under this subsection is equal to (A) the effective family income (as determined under subsection (d)), minus (B) the total offsets to such income (as determined under subsection (e)). If such discretionary income is a negative amount, the contribution from the parents' income is zero."

(2) Section 411C(e)(1) of the Act is amended to read as follows:

"(e) **ASSESSMENT OF DISCRETIONARY INCOME.**—(1) The discretionary income that is assessed under this subsection is equal to

(A) the effective family income (as determined under subsection (c)), minus (B) the total offsets to such income (as determined under subsection (d)). If such discretionary income is a negative amount, the contribution from the student's (and spouse's) income is zero."

(3) Section 411D(e)(1) of the Act is amended to read as follows:

"(e) **ASSESSMENT OF DISCRETIONARY INCOME.**—(1) The discretionary income that is assessed under this subsection is equal to (A) the effective family income (as determined under subsection (c)), minus (B) the total offsets to such income (as determined under subsection (d)). If such discretionary income is a negative amount, the contribution from the student's (and spouse's) income is zero."

(4) Sections 411B(f)(2), 411B(j)(2), 411C(e)(2), and 411D(e)(2) of the Act are each amended by striking out "effective family income" each place it appears in the text thereof and inserting "discretionary income".

(5) The tables in sections 411B(f)(2) and 411C(e)(2) of the Act are each amended—

(A) by striking out "Effective family income" and inserting "Discretionary income"; and

(B) by striking out "effective family income" and inserting "discretionary income".

(g) **TREATMENT OF DISLOCATED WORKERS AND DISPLACED HOMEMAKERS.**—Sections 411B(g)(1), 411C(f)(1), and 411D(f)(3) of the Act are each amended by inserting before the period at the end of the first sentence the following: ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(h) **CORRECTION OF REFERENCE.**—Section 411F(1)(B) is amended by striking out "paragraph (13)" and inserting "paragraph (15)".

(i) **TUITION AND FEES.**—Section 411F(5)(A) is amended by striking out "student's tuition and uniform compulsory fees" and inserting "tuition and uniform compulsory fees normally charged a full-time student".

(j) **DEPENDENT OF A STUDENT.**—Section 411F(6) is amended to read as follows:

"(6) Except as otherwise provided, the term 'dependent of the student' means the student's spouse, the student's dependent children, and other persons who live with and receive more than one-half of their support from the student and will continue to receive more than half of their support from the student during the award year."

(k) **EXCLUDABLE INCOME.**—Section 411F(9) of the Act is amended—

(1) in subparagraph (A), by striking out "(B), (C), and (D)" and inserting "(B) through (E)";

(2) by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) For a Native American Student, the annual adjusted family income does not include any income and assets of \$2,000 or less per individual payment received by the student (and spouse) and student's parents under the Per Capita Act or the Distribution of Judgment Funds Act or any income received by the student (and spouse) and student's parents under the Alaska Native Claims Settlement Act or the Maine Indians Claims Settlement Act."

(3) in subparagraph (D), by inserting "(including any income earned from work under

part C of this title)" after "financial assistance"; and

(3) by adding at the end thereof the following new subparagraph:

"(E) Annual adjusted family income does not include any unemployment compensation received by a dislocated worker certified in accordance with title III of the Job Training Partnership Act."

(l) **INDEPENDENT.**—Section 411F(12) of the Act is amended—

(1) in subparagraph (B)(iii), by striking out "graduate" and inserting "graduate"; and

(2) in subparagraph (B)(vi), by inserting "(including all sources of income other than parents)" after "an annual total income".

(m) **UNTAXED INCOME AND BENEFITS.**—Section 411F(15) of the Act is amended to read as follows:

"(15) The term 'untaxed income and benefits' means—

"(A) child support received;

"(B) welfare benefits, including aid to families with dependent children under a State plan approved under part A of title IV of the Social Security Act and aid to dependent children;

"(C) workman's compensation;

"(D) veterans' benefits such as death pension, dependency and indemnity compensation, but excluding veterans' education benefits;

"(E) interest on tax-free bonds;

"(F) housing, food, and other allowances (excluding rent subsidies for low-income housing) for military, clergy, and others (including cash payments and cash value of benefits);

"(G) cash support or any money paid on the student's behalf;

"(H) the amount of earned income credit claimed for Federal income tax purposes;

"(I) untaxed portion of pensions;

"(J) credit for Federal tax on special fuels;

"(K) the amount of foreign income excluded for purposes of Federal income taxes;

"(L) untaxed social security benefits;

"(M) payments to individual retirement accounts and Keogh accounts excluded from income for Federal income tax purposes;

"(N) any other untaxed income and benefits, such as Black Lung Benefits, Refugee Assistance, railroad retirement benefits, or Job Training Partnership Act noneducational benefits."

SEC. 4. SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.

(a) **FORMULA.**—Section 413D(d)(2) of the Act is amended—

(1) by striking out subparagraph (D) and inserting the following:

"(D) multiply the number of eligible dependent students in each income category by 75 percent of the average cost of attendance for all undergraduate students determined under subparagraph (C), minus the expected family contribution determined under subparagraph (B) for that income category, except that the amount computed by such subtraction shall not be less than zero"; and

(2) by striking out subparagraph (F) and inserting the following:

"(F) multiply the number of eligible independent students in each income category by 75 percent of the average cost of attendance for all undergraduate students determined under subparagraph (C), minus the expected family contribution determined under subparagraph (B) for that income

category, except that the amount computed by such subtraction shall not be less than zero."

(b) **TECHNICAL AMENDMENT.**—Section 413D(d)(3)(B) is amended—

(1) by striking out "and graduate and professional"; and

(2) by striking out "and graduate".

SEC. 5. STATE STUDENT INCENTIVE GRANTS.

Section 415E(1) of the Act is amended by striking out "literary" and inserting "literacy".

SEC. 6. TRIO PROGRAMS.

Section 417A(d)(1)(B) of the Act is amended by inserting "substantial" immediately before "support".

SEC. 7. SEPARATION OF HEP/CAMP AUTHORIZATION.

Section 418A(g) of the Act is amended to read as follows:

"(g) **AUTHORIZATION OF APPROPRIATIONS.**—(1) There are authorized to be appropriated for the high school equivalency program \$7,000,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

"(2) There are authorized to be appropriated for the college assistance migrant program \$2,000,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years."

SEC. 8. VETERANS' EDUCATION OUTREACH.

Section 420A of the Act is amended—

(1) in subsection (b)(2)(B), by striking out "subchapter V or VI" and inserting "subchapter V";

(2) in subsection (b)(5), by striking out "paragraph (3)(A)" and inserting "paragraph (4)(A)";

(3) in subsection (c)(2)(A)(i), by striking out "subsection (e)" and inserting "subsection (b)(5)"; and

(4) in subsection (c)(2)(C)(ii)—

(A) by striking out "(I)"; and

(B) by striking out "and (II) in the case of any institution located near a military installation, under subchapter VI of such chapter 34".

SEC. 9. SPECIAL CHILD CARE SERVICES.

Section 420B of the Act is amended—

(1) in subsection (b)(2)—

(A) by striking out "to pursue a successful program" in subparagraph (C) and inserting "to pursue successfully a program";

(B) by striking out subparagraph (B); and

(C) by redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively; and

(2) by striking out subsection (d) and inserting the following:

"(d) **DEFINITION.**—For purposes of this subpart, the term 'low-income individual' means an individual from a family whose taxable income for the preceding year did not exceed 150 percent of an amount equal to the poverty level determined by using the criteria of poverty established by the Bureau of the Census."

SEC. 10. GUARANTEED STUDENT LOANS.

(a) **IN APPLICABILITY OF AGGREGATE LOAN LIMITS TO SUPPLEMENTAL AND PLUS LOANS.**—Sections 425(a)(2)(A) and 428(b)(1)(B) are each amended—

(1) in clause (i), by inserting "excluding loans made under section 428A" after "undergraduate education"; and

(2) in clause (ii) by inserting "excluding loans made under section 428A or 428B" after "graduate or professional student)".

(b) **TEACHER DEFERMENT.**—Sections 427(a)(2)(C)(vi) and 428(b)(1)(M)(vi) of the Act are each amended by inserting "non-profit" before "private".

(c) **MULTIPLE DISBURSEMENT.**—Sections 427(a)(4) and 428(b)(1)(O) of the Act are each amended by striking out "more than \$1,000" and inserting "\$1,000 or more".

(d) **VARIABLE INTEREST RATES ON SUPPLEMENTAL AND PLUS LOANS.**—(1) Section 427A(c)(4) of the Act is amended—

(A) in subparagraph (A), by striking out "to cover the cost of instruction for any period of enrollment beginning on or after July 1, 1987," and inserting "and disbursed on or after July 1, 1987,";

(B) in such subparagraph (A), by striking out "any calendar year" and inserting "any 12-month period beginning on July 1 and ending on June 30"; and

(C) by striking out subparagraph (B) and inserting the following:

"(B) For any 12-month period beginning on July 1 and ending on June 30, the rate determined under this subparagraph is determined on the preceding June 1 and is equal to—

"(i) the bond equivalent rate of 52-week Treasury bills auctioned at the final auction held prior to such June 1; plus

"(ii) 3.25 percent."

(2) Section 438(b)(2)(C) of the Act is amended by striking out "12.5 percent" and inserting "12 percent".

(e) **COMPLIANCE WITH LOAN LIMITS.**—Section 428(a)(2)(D) of the Act is amended by striking out "permits the student" and inserting "certifies the eligibility of any student".

(f) **INSURANCE PROGRAM AGREEMENTS.**—Section 428(b)(1) of the Act is amended—

(1) by striking out "first or" in subparagraph (A)(i) and inserting "first and";

(2) by inserting before the semicolon at the end of subparagraph (N) the following: "and this subparagraph shall not apply in the case of an institution located outside the United States";

(3) by striking out "being dispensed" in subparagraph (O)(i) and inserting "being disbursed"; and

(4) by striking out subparagraph (P) and inserting the following:

"(P) requires the borrower to notify the institution concerning any change in local address during enrollment and requires the borrower and the institution at which the borrower is in attendance promptly to notify the holder of the loan, directly or through the guaranty agency, concerning (i) any change of permanent address, (ii) when the student ceases to be enrolled on at least a half-time basis, and (iii) any other change in status, when such change in status affects the student's eligibility for the loan."

(g) **CLARIFICATION OF REFERENCE.**—Section 428(b)(5) of the Act is amended by striking out "paragraph (1)(M)" and inserting "paragraph (1)(M)(i)(III)".

(h) **GUARANTY AGENCY INFORMATION TRANSFERS.**—Section 428(b)(6) of the Act is amended—

(1) in subparagraph (A), by striking out "Prior to the implementation of section 485B" and inserting "Until such time as the Secretary has implemented section 485B and is able to provide to guaranty agencies the information required by such section; and

(2) in subparagraph (B), by striking out clause (ii) and inserting the following:

"(ii) the amount borrowed and the cumulative amount borrowed."

(i) **SUPPLEMENTAL PRECLAIMS ASSISTANCE.**—Section 428(c)(6)(C)(iv) of the Act is amended by adding at the end thereof the following: "In the case of accounts brought into repayment status as a result of performing

supplemental preclaims assistance, the cost of such assistance is a permissible charge to the borrower (for the cost of collection) for which the borrower shall be liable."

(j) **REINSURANCE FEES.**—Section 428(c)(9) of the Act is amended—

(1) by inserting "covered" before "loans" each place it appears in clauses (i) and (ii) of subparagraph (A); and

(2) by adding at the end thereof the following new subparagraph:

"(D) For purposes of subparagraph (A), the term 'covered loans' means loans made under this part to which the insurance applies, but does not include loans made under section 428A(d), 428B(d), or 428C."

(k) **ESCROW OF DISBURSEMENTS.**—The first sentence of section 428(i)(1) of the Act is amended by striking out "multiple".

(l) **LENDERS-OF-LAST-RESORT.**—Section 428(j) is amended by adding at the end thereof the following new sentence: "The guaranty agency shall not initiate a program to make loans under this subsection without first consulting with eligible lenders in the State to ascertain the willingness of such lenders to serve as the lender-of-last-resort pursuant to this subsection."

(m) **USE OF SUPPLEMENTAL LOAN PROGRAM BY UNDERGRADUATES.**—Section 428A(a) of the Act is amended by adding at the end thereof the following: "In addition, undergraduate dependent students shall be eligible to borrow funds under this section if the financial aid administrator determines, after review of the financial information submitted by the student and considering the debt burden of the student, that extenuating circumstances will likely preclude the student's parents from borrowing under section 428B for purposes of the expected family contribution and that the student's family is otherwise unable to provide such expected family contribution."

(n) **PLUS LOAN DEFERMENTS.**—Section 428B of the Act is amended—

(1) in subsection (a), by striking out "but such a parent borrower" and all that follows through "clauses (i), (viii), and (ix) of such sections";

(2) in subsection (c)(1), by striking out "subject to deferral pursuant to sections 427(a)(2)(C) (i), (viii), and (ix) and 428(b)(1)(M) (i), (viii), and (ix)" and inserting in lieu thereof "subject to deferral (A) during any period during which the parent meets the conditions required for a deferral under clause (i), (viii), or (ix) of section 427(a)(2)(C) or 428(b)(1)(M); and (B) during any period during which the borrower has a dependent student for whom a loan obligation was incurred under this section and who meets the conditions required for a deferral under clause (i) of either such section"; and

(3) in subsection (c)(2), by striking out "under sections 427(a)(2)(C)(i) and 428(b)(1)(M)(i)" and inserting "pursuant to paragraph (1) of this subsection".

(o) **LIMITATION ON SUPPLEMENTAL AND PLUS LOANS.**—(1) Section 428A(b)(3) of the Act is amended by striking out the first sentence and inserting the following: "Any loan under this section may be counted as part of the expected family contribution in the determination of need under this title, but no loan may be made to any student under this section for any academic year in excess of (A) the student's estimated cost of attendance, minus (B) other financial aid as certified by the eligible institution under section 428A(a)(2)(A)."

(2) Section 428B(b)(3) of the Act is amended by striking out the first sentence

and inserting the following: "Any loan under this section may be counted as part of the expected family contribution in the determination of need under this title, but no loan may be made to any parent under this section for any academic year in excess of (A) the student's estimated cost of attendance, minus (B) other financial aid as certified by the eligible institution under section 428(a)(2)(A)."

(p) REPAYMENT OF SUPPLEMENTAL AND PLUS LOANS.—Sections 428A(c)(2)(A) and 428B(c)(2)(A) of the Act are each amended by inserting "monthly or" before "quarterly".

(q) REFINANCING OF SUPPLEMENTAL AND PLUS LOANS.—(1) Sections 428A(d) and 428B(d) of the Act are each amended—

(A) in paragraph (1)—

(i) by inserting "at any time" after "An eligible lender may" in the first sentence;

(ii) by striking out "Unless the borrower complies with the requirements of paragraph (2)," in the second sentence and inserting "Unless the consolidated loan is obtained by a borrower who is electing to obtain variable interest under paragraph (2) or (3);"

(iii) by inserting "(if required by them)" after "shall be reported" in the third sentence;

(B) in paragraph (2)—

(i) by inserting "under this section before July 1, 1987, or" before "under section 428B";

(ii) by striking out "to reissue a loan" and inserting "to reissue a loan or loans"; and

(iii) by striking out "reissuing such loan" and inserting "reissuing such loan or loans"; and

(C) in paragraph (5)—

(i) by striking out "January 1, 1987" and inserting "October 1, 1987"; and

(ii) by inserting before the semicolon at the end of subparagraph (B) the following: "and of the practical consequences of such options in terms of interest rates and monthly and total payments for a set of loan examples".

(2) An eligible lender who has refinanced a loan or loans under section 428A(d) or 428B(d) between the date of enactment of the Higher Education Amendments of 1986 and July 1, 1987, may, at the request of a borrower or with the written consent of the borrower, amend the note or other written evidence of loan as necessary to comply with the requirements of such sections and section 427A(c)(4) as amended by this Act. Any borrower who is denied such a request shall be treated as eligible to obtain a loan from another lender under section 428A(d)(3) or 428B(d)(3), as applicable, for the purposes of discharging the loan from the original lender, and a borrower exercising this option shall not be subject to an additional insurance fee under section 428A(d)(3)(C) or 428B(d)(3)(C).

(r) CONSOLIDATION LOANS.—Section 428C of the Act is amended—

(1) in subsection (a)(3)(A), by inserting "with respect to any loan to be consolidated" before the period at the end of clause (iii);

(2) in subsection (a)(3)(B)—

(A) by striking out "loans received under this title" in the first sentence and inserting "eligible student loans received";

(B) by striking out "under this part" and inserting "under this title";

(C) by striking out "and 428(b)(1)(B)" in the second sentence and inserting "428(b)(1)(B), 428A(b)(2), and 464(a)(2)"; and

(D) by adding at the end thereof the following new sentence: "Nothing in this sub-

paragraph shall be interpreted to authorize the Secretary to require lenders, holders, or guarantors to maintain or report records relating to the eligible student loan (as defined under section 428C(a)(4)) discharged by a borrower in receiving a consolidation loan."

(3) In subsection (b)(1)(C)—

(A) by striking out "subsection (a)(2)" in clause (i) and inserting "subsection (a)(3)"; and

(B) by striking out "all loans received by the eligible borrower under this title" in clause (ii) and inserting "all eligible student loans received by the eligible borrower";

(4) in subsection (c)(2)(A)(v), by striking out "more" and inserting "equal to or greater"; and

(5) in subsection (c)(5), by inserting before the period at the end thereof the following: "but a fee may be payable by the lender to the guaranty agency to cover the costs of increased or extended liability with respect to such loan".

(s) REHABILITATION PROGRAM.—Section 428F of the Act is amended—

(1) by striking out subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(t) INFORMATION CONCERNING BORROWERS.—Section 430A(e) of the Act is amended by adding at the end thereof the following new sentence: "To further the purpose of this section, an eligible institution may enter into an arrangement with any or all of the holders of delinquent loans made to borrowers who attend or previously attended such institution for the purpose of providing current information regarding the borrower's location or employment or for the purpose of assisting the holder in contacting and influencing borrowers to avoid default."

(u) CLARIFICATION OF REFERENCE.—Section 431(a) of the Act is amended by striking out "section 422(c)(4)(C)" and inserting "section 422".

(v) AUDITS OF FINANCIAL TRANSACTIONS.—Section 432(f) of the Act is amended by inserting after paragraph (3) the following new paragraph:

"(4) AUDIT PROCEDURES.—In conducting audits pursuant to this subsection, the Comptroller General and the Inspector General of the Department of Education shall audit the records to determine the extent to which they, at a minimum, comply with Federal statutes, and rules and regulations prescribed by the Secretary, in effect at the time that the record was made, and in no case shall the Comptroller General or the Inspector General apply subsequently determined standards, procedures, or regulations to the records of such agency, lender, or Authority."

(w) CIVIL PENALTIES.—Section 432(g)(2) of the Act is amended by striking out "representation" each place it appears in subparagraphs (A)(i) and (B) and inserting in lieu thereof "misrepresentation".

(x) STUDENT LOAN INFORMATION.—Section 433 of the Act is amended—

(1) in the first sentence of subsection (a), by inserting "(other than a loan made under section 428C)" after "guaranteed under this part";

(2) in subsection (a), by striking out paragraph (8) and inserting the following:

"(8) a statement of the total cumulative balance, including the loan applied for, owed by the student to that lender, and an estimate of the projected monthly payment, given such cumulative balance;"

(3) in subsection (b)(7), by inserting before the semicolon at the end thereof the follow-

ing: "except that such explanation is not required when the loan being made is a consolidation loan under section 428C"; and

(4) in subsection (d), by striking out "makes the first disbursement of a loan with respect to a borrower" and inserting "notifies a borrower of approval of a loan".

(y) DEFINITIONS.—Section 435 of the Act is amended—

(1) in subsection (b)(3), by inserting before the semicolon the following: "or in the case of a hospital or health care facility, which provides training of not less than one year for graduates of accredited health professions programs, leading to a degree or certificate upon completion of such training";

(2) in subsection (d)(1)—

(A) by striking out "and" at the end of subparagraph (H);

(B) by striking out the period at the end of subparagraph (I) and inserting "and"; and

(C) by inserting after such subparagraph the following:

"(J) for purpose of making loans under section 428C, any nonprofit private agency functioning in any State as a secondary market.";

(3) by striking out paragraph (2) of subsection (g) and inserting the following:

"(2) DISABLED DEPENDENT OF A BORROWER.—Such term when used with respect to a disabled dependent of a borrower means a spouse or other dependent who, during a period of injury or illness of not less than 3 months, requires continuous nursing or similar services."; and

(4) by striking out "DEFINITION OF" in the heading of subsection (h).

(z) SPECIAL ALLOWANCES.—Section 438(b) of the Act is amended—

(1) by striking out "subsection (c)" in paragraph (2)(B)(iii) and inserting "subsection (d)"; and

(2) by inserting after paragraph (6) the following new paragraph:

"(7) USE OF AVERAGE QUARTERLY BALANCE.—The Secretary shall require lenders to calculate their eligibility for interest benefits and special allowance through the use of the average quarterly balance method until July 1, 1988."

(aa) REPORT ON SPECIAL ALLOWANCES.—Section 438(d)(4)(C) of the Act is amended by striking out "as evidenced by the information submitted under paragraph (2)(G) of this subsection".

(bb) CORRECTION OF REFERENCE.—Section 439(d)(1)(E)(iii) of the Act is amended by inserting "Labor and" before "Human Resources".

SEC. 11. COLLEGE WORK-STUDY.

(a) REALLOCATION.—Section 442(e)(2) of the Act is amended by striking out "section 448" and inserting "section 447".

(b) WORK-STUDY AGREEMENTS.—Section 443(b) of the Act is amended—

(1) in paragraph (2)(A), by striking out "clause (6)(B)" and inserting "paragraph (5)(B)"; and

(2) in paragraph (5)(B), by striking out "clause (2)(A)" and inserting "paragraph (2)(A)".

(c) REFERENCE.—Section 443(c)(1) of the Act is amended by inserting "and subsection (b)(3)" before the semicolon.

(d) JOB LOCATION AND DEVELOPMENT AGREEMENTS.—Section 446(b) of the Act is amended—

(1) by striking out paragraph (3); and

(2) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

SEC. 12. INCOME CONTINGENT LOAN DEMONSTRATION.

Section 454(a)(4) of the Act is amended to read as follows:

"(4)(A) The interest rate on loans under this part shall, at the discretion of the participating institution, be (i) computed in accordance with subparagraph (B) based on the interest rate computed for the calendar year in which the loan was made, and fixed over the life of the loan, or (ii) variable each calendar year based on the interest rate computed in accordance with subparagraph (B) for such calendar year.

"(B) The interest rate applicable on such loans in accordance with subparagraph (A) shall be obtained by—

"(i) computing the average of the bond equivalent rates of 91-day Treasury bills auctioned for the 3-month period ending September 30 preceding such year; and

"(ii) by adding 3 percent to the resulting percent."

SEC. 13. DIRECT STUDENT LOANS.

(a) ALLOCATIONS IN PROPORTION TO FISCAL YEAR 1985 FEDERAL CAPITAL CONTRIBUTION.—Section 462(a)(1) of the Act is amended by striking out subparagraph (A) and inserting the following:

"(A) 100 percent of the amount of Federal capital contribution such institution received under this part for fiscal year 1985, multiplied by"

(b) CORRECTION OF HEADING.—Section 462(e) of the Act is amended by striking out "; CASH ON HAND".

(c) CORRECTION OF REFERENCE.—Section 462(f) of the Act is amended by striking out "under paragraph (2)" and inserting "under subsection (g)".

(d) NOTICE OF DEFAULT.—Section 463(a)(4) is amended by striking out "given to the Secretary" and everything that follows through "semiannually" and inserting "given to the Secretary in an annual report describing the total number of loans from such fund which are in such default".

(e) CORRECTION OF REFERENCE.—Section 463(b) of the Act is amended by striking out "section 485" and inserting "section 489".

(f) ESTIMATES OF BALANCES.—Section 463A(a) of the Act is amended by striking out paragraph (8) and inserting the following:

"(8) a statement of the total cumulative balance, including the loan applied for, owed by the student to that lender, and an estimate of the projected monthly payment, given such cumulative balance;"

(g) DEFENSE EDUCATIONAL LOAN REPAYMENT.—Section 463A(a)(10) of the Act is amended by striking out "section 902 of the Department of Defense Authorization Act, 1981 (10 U.S.C. 2141, note);" and inserting "the Department of Defense educational loan repayment program (10 U.S.C. 2172);".

(h) REFERENCE TO OTHER PROGRAMS.—Section 465(a)(2) of the Act is amended—

(1) in subparagraph (A) by striking out "title I of the Elementary and Secondary Education Act of 1965" and inserting "chapter 1 of the Education Consolidation and Improvement Act of 1981";

(2) in subparagraph (A), by striking out "such title I" and inserting "such chapter 1"; and

(3) in subparagraph (B), by striking out "section 222(a)(1) of the Economic Opportu-

nity Act of 1964" and inserting "the Head Start Act".

SEC. 14. NEEDS ANALYSIS.

Part F of title IV of the Act is amended—

(1) in sections 475(c)(2), 475(c)(4), 475(d)(2), 476(b)(2), 476(c)(2), 477(b)(2), 477(c)(2), and 477(d), striking out "section 479" and inserting "section 478";

(2) in sections 475(c)(7) and 477(b)(7), by striking out "National";

(3) in sections 475(d)(2), 476(c)(2), and 477(c)(2), strike out "dislocated homemaker" and insert "displaced homemaker";

(4) by striking out the table contained in sections 475(d)(2)(C), 476(c)(2)(C), and 477(c)(2)(C) and inserting the following:

Adjusted Net Worth of a Business or Farm	
If the net worth of a business or farm is—	Then the adjusted net worth is:
Less than \$1	\$0
\$1-\$50,000	40 percent of NW
\$50,001-\$180,000	\$24,000 plus 50 percent of NW over \$50,000
\$180,001-\$300,000	\$84,000 plus 60 percent of NW over \$180,000
\$300,001 or more	\$156,000 plus 100 percent of NW over \$300,000;

(5) in sections 475(d)(4)(B) and 477(c)(4)(B), by striking out "\$15,000" and inserting "\$15,999";

(6) in sections 475(d)(4)(C) and 477(c)(4)(C), by striking out "\$15,000" each place it appears and inserting "\$16,000";

(7) in section 475(d)(4)(D), by striking out "equal to or less than zero" and inserting "less than zero";

(8) in section 475(g)(1)(C), by striking out "paragraph (3)" and inserting "paragraph (2)";

(9) in section 475(g)(3), by inserting after "following table" the following: "(or a successor table prescribed by the Secretary under section 478)";

(10) in section 475, by striking out subsection (h) and inserting the following:

"(h) STUDENT (AND SPOUSE) INCOME SUPPLEMENTAL AMOUNT FROM ASSETS.—The student (and spouse) supplemental income from assets is determined by calculating the net assets of the student (and spouse) and multiplying the amount by 35 percent, except that in the case of a student who is a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero;"

(11) in such section, by adding at the end thereof the following new subsection:

"(i) ADJUSTMENTS FOR ENROLLMENT PERIODS OTHER THAN 9 MONTHS.—For periods of enrollment other than nine months, the parents' contribution from adjusted available income is determined as follows:

"(1) For periods of enrollment less than 9 months, the parents' contribution from adjusted available income (determined in accordance with subsection (b)) is divided by 9 and the result multiplied by the number of months enrolled.

"(2) For periods of enrollment greater than 9 months—

"(A) the parents' adjusted available income (determined in accordance with subsection (b)(1)) is increased by the difference between the standard maintenance allowance (determined in accordance with subsection (c)(4)) for a family of four and a family of five, each with one child in college;

"(B) the resulting revised parents' adjusted available income is assessed according to

subsection (e) and adjusted according to subsection (b)(3) to determine a revised parents' contribution from adjusted available income;

"(C) the original parents' contribution from adjusted available income is subtracted from the revised parents' contribution from adjusted available income, and the result is divided by 12 to determine the monthly adjustment amount; and

"(D) the original parents' contribution from adjusted available income is increased by the product of the monthly adjustment amount multiplied by the number of months greater than 9 for which the student will be enrolled;"

(12) in section 476(b)(1)—

(A) by striking out "subparagraph (B)" in subparagraph (C) and inserting "subparagraph (C)";

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D); and

(C) by striking out everything preceding clause (i) of subparagraph (A) and inserting the following:

"(A) adding the student's adjusted gross income and any income earned from work but not reported on a Federal income tax return, and subtracting excludable income (as defined in section 480);

"(B) computing the student's available taxable income by deducting from the amount determined under subparagraph (A)—";

(13) in section 476(b)(2), by striking out "total taxable income" and inserting "total income";

(14) in section 476(b)(1)(C), by inserting after "section 480(c)" the following: "plus the amount of veterans' benefits paid during the award period under chapters 32, 34, and 35 of title 28, United States Code";

(15) in section 476(b)(4)—

(A) by striking out "\$8,900" each place it appears and inserting "\$8,600"; and

(B) by striking out "\$6,230" and inserting "\$6,020".

(16) in section 476(c)(1)—

(A) by striking out the period at the end of subparagraph (C) and inserting a semicolon; and

(B) by inserting at the end thereof (flush with the margin of paragraph (1)) the following:

"except that the student's income supplemental amount from assets shall not be less than zero;"

(17) in section 477(a)(1)—

(A) by striking out "and" at the end of subparagraph (A);

(B) by inserting "and" after the semicolon at the end of subparagraph (B); and

(C) by inserting after such subparagraph the following:

"(C) the amount of veterans' benefits to be paid during the award period under chapters 32, 34, and 35 of title 38, United States Code";

(18) in section 477(b)(5)(A), by striking out "\$2,000" and inserting "\$2,100";

(19) in section 478(d)—

(A) by inserting ", rounded to the nearest \$100," after "present value cost";

(B) by inserting "of 40 and above" after "each age cohort";

(C) by inserting after the second sentence the following: "For each age cohort below 40, the asset protection allowance shall be computed by decreasing the asset protection allowance for age 40, as updated, by one-fifteenth for each year of age below age 40 and rounding the result to the nearest \$100."

(20) in section 478(c)(2), by striking out "\$26,000," "\$91,000," and "\$169,000" and inserting "\$24,000," "\$84,000," and "\$156,000";

(21) in section 478(f), by striking out "Consumer Price Index for Wage Earners and Clerical Workers" and inserting in lieu thereof "Consumer Price Index for All Urban Consumers";

(22) in section 479(a)—

(A) by striking out "paragraph (2)" and inserting "subsection (b)";

(B) by striking out "families which" and inserting "families (1) who"; and

(C) by striking out "and which file a form 1040A pursuant to the Internal Revenue Code of 1954" and inserting "and (2) who file a form 1040A or 1040EZ pursuant to the Internal Revenue Code of 1986, or are not required to file pursuant to such Code";

(23) in section 479(b)—

(A) by striking out "and State" in paragraph (2);

(B) by striking out "and" at the end of paragraph (4);

(C) by striking out the period at the end of paragraph (5) and inserting "; and"; and

(D) by inserting after paragraph (5) the following new paragraph:

"(6) an allowance (A) for State and other taxes, as defined in section 475(c)(2) for dependent students and in section 477(b)(2) for independent students with dependents, or (B) for State and local income taxes, as defined in section 476(b)(2) for independent students without dependents."

(24) in section 479A—

(A) by striking out "in this part" each place it appears and inserting "in this title";

(B) by inserting "(a) IN GENERAL.—" after "Sec. 479A."; and

(C) by adding at the end thereof the following:

"(b) ADJUSTMENTS TO ASSETS TAKEN INTO ACCOUNT.—A student financial aid administrator shall be considered to be making a necessary adjustment in accordance with subsection (a) if—

"(1) the administrator determines, in his or her discretion, that the effective family income of the applicant is small in relation to—

"(A) the net value of the principal place of residence;

"(B) the net worth of a farm on which the family resides; or

"(C) the net worth of a family owned and operated small business;

"(2) such administrator reduces or eliminates the amount of such net value or net worth that is subject to assessment in the computation of the expected family contribution of that applicant; and

"(3) the administrator reports the amount of such adjustments made with respect to determinations for Pell Grants to the contractor or contractors processing applications for such grants for the award year.

"(c) ASSET ADJUSTMENT AS EXAMPLE.—The asset adjustment described in subsection (b) is an example of the type of adjustment which financial aid administrators are authorized to make by subsection (a), and shall not be considered to be the only adjustment that is so authorized."; and

(25) by striking section 479B and inserting in lieu thereof the following:

"STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS

"SEC. 479B. (a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance received under this title, or under Bureau of

Indian Affairs student assistance programs, that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

"(b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

"(1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

"(2) an allowance for books, supplies, transportation, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

"NATIVE AMERICAN STUDENTS

"Sec. 479C. In determining family contributions for Native American students, computations performed pursuant to this part shall exclude—

"(1) any income and assets of \$2,000 or less per individual payment received by the student (and spouse) and student's parents under the Per Capita Act or the Distribution of Judgment Funds Act; and

"(2) any income received by the student (and spouse) and student's parents under the Alaskan Native Claims Settlement Act or the Maine Indian Claims Settlement Act."; and

(26) in section 480—

(A) by striking out "paragraphs (2) and (3)" in subsection (a)(1) and inserting "paragraphs (2) through (4)";

(B) by inserting before the period at the end of such subsection the following: "minus excludable income (as defined in subsection (f))";

(C) by striking out paragraph (2) of subsection (a) and inserting the following:

"(2) In the computation of family contributions for the programs under subpart 2 of part A and parts B, C, and E of this title for any academic year, there shall be excluded from family income any proceeds of a sale of farm or business assets of that family if such sale results from a voluntary or involuntary foreclosure, forfeiture, or bankruptcy or an involuntary liquidation.";

(D) by inserting at the end of subsection (a) the following:

"(4) No portion of any student financial assistance received from any program by an individual shall be included as income in the computation of expected family contribution for any program funded in whole or in part under this Act.

"(5) No portion of any student financial assistance received from any program by an individual shall be included as income in the computation of expected family contribution for any program funded in whole or in part under this Act.";

(E) by striking out subsections (b) and (c) and inserting the following:

"(b) UNTAXED INCOME AND BENEFITS OF PARENTS AND INDEPENDENT STUDENTS WITH DEPENDENTS.—The term 'untaxed income and benefits' when applied to parent contributions or the contributions of independent students with dependents (including spouses) means—

"(1) child support received;

"(2) welfare benefits, including aid to families with dependent children under a State

plan approved under part A of title IV of the Social Security Act and aid to dependent children;

"(3) workman's compensation;

"(4) veterans' benefits such as death pension, dependency and indemnity compensation, but excluding veterans' education benefits;

"(5) interest on tax-free bonds;"

"(6) housing, food, and other allowances (excluding rent subsidies for low-income housing) for military, clergy, and others (including cash payments and cash value of benefits);

"(7) cash support or any money paid on the student's behalf;

"(8) the amount of earned income credit claimed for Federal income tax purposes;

"(9) untaxed portion of pensions;

"(10) credit for Federal tax on special fuels;

"(11) the amount of foreign income excluded for purposes of Federal income taxes;

"(12) untaxed social security benefits;

"(13) payments to individual retirement accounts and Keogh accounts excluded from income for Federal income tax purposes;

"(14) any other untaxed income and benefits, such as Black Lung Benefits, Refugee Assistance, railroad retirement benefits, or Job Training Partnership Act noneducational benefits";

"(c) UNTAXED INCOME AND BENEFITS OF DEPENDENT STUDENTS OR INDEPENDENT STUDENTS WITHOUT DEPENDENTS.—For the purpose of this part, the term 'untaxed income and benefits' when applied to the contributions of dependent students or independent students without dependents means—

"(1) child support received;

"(2) welfare benefits, including aid to families with dependent children under a State plan approved under part A of title IV of the Social Security Act and aid to dependent children;

"(3) workman's compensation;

"(4) veterans' benefits such as death pension, dependency and indemnity compensation, but excluding veterans' education benefits;

"(5) interest on tax-free bonds;

"(6) housing, food, and other allowances (excluding rent subsidies for low-income housing) for military, clergy, and others (including cash payments and cash value of benefits);

"(7) cash support or any money paid on the student's behalf;

"(8) the amount of earned income credit claimed for Federal income tax purposes;

"(9) untaxed portion of pensions;

"(10) credit for Federal tax on special fuels;

"(11) the amount of foreign income excluded for purposes of Federal income taxes;

"(12) untaxed social security benefits;

"(13) payments to individual retirement accounts and Keogh accounts excluded from income for Federal income tax purposes;

"(14) any other untaxed income and benefits, such as Black Lung Benefits, Refugee Assistance, railroad retirement benefits, or Job Training Partnership Act noneducational benefits";

(F) in subsection (d)(2)(F) by inserting "(including all sources of income other than parents)" after "annual total income"; and

(G) by inserting after subsection (e) the following new subsections:

"(f) EXCLUDABLE INCOME.—The term 'excludable income' means—

"(1) any unemployment compensation received by a dislocated worker certified in accordance with title III of the Job Training Partnership Act; and

"(2) any student financial assistance awarded based on need as determined in accordance with the provisions of this part, including any income earned from work under part C of this title.

"(g) ASSETS.—The term 'assets' means cash on hand, including the amount in checking and savings accounts, time deposits, money market funds, trusts, stocks, bonds, other securities, mutual funds, tax shelters, and the net value of real estate, income producing property, and business and farm assets.

"(h) NET ASSETS.—The term 'net assets' means the current market value at the time of application of the assets included in the definition of 'assets', minus the outstanding liabilities or indebtedness against the assets."

SEC. 15. GENERAL PROVISIONS.

Part G of title IV of the Act is amended—

(1) in section 481(c), by striking out "subsection (d) of this section" and inserting in lieu thereof "section 484(d)";

(2) in section 482(b)—

(A) by striking out "or 442(e)" and inserting "442(e), or 462(j)"; and

(B) by striking out "and part C" and inserting "part C, and part E";

(3) in the second sentence of section 483(a)(1), by inserting "or institutions in which the students are enrolled or accepted for enrollment" after "that applicants";

(4) in the last sentence of such section 483(a)(1), by inserting before the period at the end thereof the following: "but no institution or State agency shall mandate the use of a form for which a fee is charged solely to determine the student's eligibility for assistance under this title or the amount of such assistance";

(5) in section 483(a)(2), by striking out "not less than 3" and inserting "not less than 4";

(6) in section 483—

(A) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(B) by inserting after subsection (a) the following:

"(b) CERTIFICATION OF CAPABILITY.—Beginning with the 1988-1989 processing year, the Secretary shall be authorized to enter into agreements with institutions of higher education, States, or private organizations for the purpose of certifying the capability of their systems for determining expected family contributions under part F of this title."

(7) in section 484(d), by adding at the end thereof the following new sentence:

"In order to be eligible for assistance a student cannot be enrolled in either an elementary or a secondary school and also must be older than the compulsory age of attendance for secondary school."

(8) in section 485(b), by inserting "(other than loans made pursuant to section 428B)" after "part B of this title";

(9) in section 485A(a), by striking out "clause (i), (ii), or (iii)" and inserting "subparagraph (A), (B), or (C)";

(10) in section 485B—

(A) by striking out "Federal agencies" in subsection (b)(1) and inserting "public agencies";

(B) by striking out "of a borrower for whom the guaranty agency provides insur-

ance" in subsection (b)(2)(D) and inserting "of any borrower";

(C) by striking out "Federal agency" in subsection (b)(3) and inserting "public agency";

(11) in section 487(a)(2), by inserting after "fee" the following: "nor mandate the use of a form for which a fee is charged,";

(12) in section 488, by striking out "or 446" and inserting "or 442"; and

(13) in section 491(b), by adding at the end thereof the following new sentence: "The Secretary's authority to terminate advisory committees of the Department pursuant to section 448(b) of the General Education Provisions Act ceased to be effective on June 23, 1983."

SEC. 16. LEADERSHIP IN EDUCATIONAL ADMINISTRATION DEVELOPMENT.

Subpart 2 of part C of title V of the Act is amended—

(1) in section 542, by striking out "for any fiscal year" and inserting "for fiscal year 1987 or any succeeding fiscal year";

(2) in section 545—

(A) by striking out "and" at the end of paragraph (1);

(B) by striking out the period at the end of paragraph (2) and inserting "; and"; and

(C) by adding at the end thereof the following:

"(3) the term 'State' includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands."

SEC. 17. CONGRESSIONAL TEACHER SCHOLARSHIP PROGRAM.

Section 553 of the Act is amended—

(1) in subsection (a), by striking out "section 546" and inserting "section 551";

(2) in subsection (b)(4)(A)—

(A) by striking out "elementary or" and inserting "preschool, elementary school, or"; and

(B) by inserting "or private nonprofit" immediately before "education program in any State"; and

(3) in subsection (b)(4)(B), by striking out "section 557" and inserting "section 556".

SEC. 18. LANGUAGE AND AREA CENTERS.

Section 602(b)(1)(B) of the Act is amended by striking out "in a program of competency-based training," immediately after "in a program of competency-based language training."

SEC. 19. ACADEMIC FACILITIES.

Title VII of the Act is amended—

(1) in section 701(b), by inserting "part A or B of" after "grants under";

(2) in section 764(c)(1), by inserting "at least a two-year program acceptable for full credit toward" immediately before "a baccalaureate degree";

(3) in section 782(1)(B)—

(A) by striking out "section 724" and inserting "section 701"; and

(B) by striking out "section 843" and inserting "section 853".

SEC. 20. JACOB K. JAVITS FELLOWS PROGRAM.

Part C of title IX of the Act is amended—

(1) by striking out the heading of section 931 and inserting the following:

"AWARD OF JACOB K. JAVITS FELLOWSHIPS";

AND

(2) in section 932(a)(1), by striking out "National Graduate" and inserting "Jacob K. Javits"; and

(3) in section 932(a)(2)(C), by striking out "directly" and inserting "selecting".

SEC. 21. GENERAL PROVISIONS.

Section 1201(a) of the Act is amended by striking out "have the ability to benefit from the training offered by the institution" and inserting in lieu thereof "meet the requirements of section 484(d) of this Act".

SEC. 22. EFFECTIVE DATES OF THE HIGHER EDUCATION AMENDMENTS OF 1986.

(a) SEOG ALLOCATION.—Section 401(b) of the Higher Education Amendments of 1986 is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) The changes made in section 413D of the Act shall apply with respect to the allocation of funds for the academic year 1988-1989 and succeeding academic years."

(b) GSL AMENDMENTS.—Section 402(b) of such Amendments is amended—

(1) by striking out paragraph (2) and inserting the following:

"(2) the changes in sections 427(a)(2)(C) and 428(b)(1)(M) of the Act (other than clauses (viii), (ix), and (x) of each such section) shall apply only to loans to new borrowers that (A) are made to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1987; or (B) are disbursed on or after July 1, 1987;";

(2) in paragraph (3), by inserting "disbursed on or after January 1, 1987, or" after "only to loans"; and

(3) in paragraph (7), by inserting "disbursed on or after 30 days after the date of enactment of this Act or" after "with respect to loans".

(c) CWS AMENDMENTS.—Section 403(b) of such Amendments is amended by striking out "(b) EFFECTIVE DATE—" and inserting in lieu thereof the following:

"(b) EFFECTIVE DATES.—(1) Section 442 of the Act shall apply with respect to the allocation of funds for academic year 1988-1989 and succeeding academic years.

"(2)".

(d) NDSL AMENDMENTS.—Section 405(b) of such Amendments is amended—

(1) by inserting "and section 463A" after "Section 463(a)(9)" in paragraph (2);

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting after the subsection heading the following:

"(1) Section 462 of the Act shall apply with respect to academic year 1988-1989 and succeeding academic years."

(e) EFFECTIVE DATE OF CERTAIN NEED ANALYSIS PROVISIONS.—Section 406(b) of such Amendments is amended—

(1) by striking out "paragraphs (2) and (3)" in paragraph (1) and inserting "paragraphs (2) through (5)";

(2) by redesignating paragraph (4) as paragraph (6); and

(3) by inserting after paragraph (3) the following new paragraphs:

"(4) Section 479A of the Act (as added by this section) shall apply with respect to determinations of need under title IV of the Act for any academic year beginning after the date of enactment of this Act.

"(5) Section 479B of the Act (as so added) shall apply with respect to financial assistance provided for any academic year beginning after such date of enactment."

(f) SUNSET FOR DISCLOSURE OF FOREIGN GIFTS.—Section 1206(b) of such Amendments is amended by striking out "section 1208" and inserting "section 1209".

SEC. 23. EDUCATION ADMINISTRATION.

Title XIII of the Higher Education Amendments of 1986 is amended—

(1) in section 1301, by striking out "section 484(d)" and inserting "section 484(c)"; and

(2) in section 1302(b)(1), by striking out "this title" and inserting "title VI of the Act";

(3) in section 1303—

(A) by striking out "shall, through the Office of Education Research and Improvement, or the Center for Education Statistics," in subsection (a) and inserting "through the Office of Educational Research and Improvement,";

(B) by striking out "the Department of Education," in subsection (b)(3); and

(C) by striking out "Resources," in such subsection and inserting "Resources";

(4) in section 1304—

(A) by striking out "of this title" in subsection (a) and inserting "of title I of the Act";

(B) by inserting "the provision of" before "an information network" in subsection (b)(2);

(C) by striking out "under this title" in subsection (c) and inserting "under this section"; and

(D) by striking out "purposes of this title" in such subsection and inserting "purposes of title I of the Act"; and

(4) in section 1314 by adding at the end thereof the following new sentence: "Nothing in this section shall be interpreted to authorize the Secretary to require lenders, holders, or guarantors to maintain or report records relating to the loans discharged by borrowers in receiving a consolidation loan pursuant to section 428C of the Act."

SEC. 24. GENERAL EDUCATION PROVISIONS ACT.

Section 406(e)(1) of the General Education Provisions Act is amended by adding at the end thereof the following new sentence: "All funds received in payment for work or services described in this paragraph shall be deposited in a separate account which may be used to pay directly the costs of such work or services, to repay appropriations which initially bore all or part of such costs, or to refund excess sums when necessary."

SEC. 25. EFFECTIVE DATE OF TECHNICAL AMENDMENTS.

The amendments made by this Act shall take effect as if enacted as part of the Higher Education Amendments of 1986.

The SPEAKER pro tempore. Is a second demanded?

Mr. COLEMAN of Missouri. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes and the gentleman from Missouri [Mr. COLEMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last fall, the 99th Congress completed 2 years of hearings and committee action and reauthorized the Higher Education Act of 1965 for an additional 5 years. Both the House and the Senate worked diligently to combine two, often very differ-

ent, bills into one proposal. The conference agreement was signed into law on October 17, 1986, and became Public Law 99-498.

Today, I am joined by a bipartisan majority of committee members in bringing before the House H.R. 1846 as amended, a bill to make technical corrections to the Higher Education Act as amended by Public Law 99-498.

The bill makes a number of technical and conforming changes. They are too numerous to reiterate here, so let me summarize them by category.

First, in combining the House and the Senate versions in conference, unintended consequences resulted. For example, two, rather than one, needs analysis sections were created in conference. This technical bill corrects omissions or clarifies language so that both needs analysis sections are brought into conformity as much as possible. This change is important because it will determine the length, the complexity and thus, the cost and the likelihood of error associated with filing for student aid. To illustrate, the language limiting consideration of any title IV student aid in determining eligibility for other programs funded wholly or in part with Federal funds was left in only the needs analysis section that applied to loans. Thus, a student applying for a loan would have been covered, but not a student applying for a Pell grant. By aligning the two needs analysis provisions, this error will be corrected.

Second, in creating a 344-page bill late in the session, numerous typographical errors and erroneous cross-references inadvertently occurred. We misspelled "literacy", for example. Several statutes were cited by incorrect titles. Several cross-references were found to be erroneous. The technical bill corrects for all these types of inadvertent errors.

Third, this legislation also revises the numerical values that were used in the provisions which established a uniform needs analysis methodology. For example, in the language establishing the cutoff value for an independent student's available taxable income, the figure "\$8,900" was inserted as an estimate. This bill changes that figure to "\$8,600" which is the correct value but which was not available at the time of conference. I might note that in future years of this reauthorization, the Higher Education Act allows the Secretary to update these various numerical values used throughout the needs analysis provisions.

Also, in several places, this bill brings the changes created by the Higher Education Amendments of 1986 into conformity with the Tax Reform Act of 1986 and the Consolidated Omnibus Budget Reconciliation Act.

H.R. 1846 makes changes in the Parent Loans for Undergraduate Stu-

dents Program. My colleague, JIM JEFFORDS, will explain these more fully later, but briefly, we have made changes in the Treasury bill rate used in this loan as well as in the cutoff date. We believe these changes will make the plus loans more attractive to lenders and thus, more available to parents and students.

H.R. 1846 also clarifies the conferees intent with respect to financial aid officers' discretion. The reauthorization of Higher Education Act last year will limit the eligibility of some students for aid. This was an unfortunate result of the need to reduce our deficit. However, to assure that hardship cases were handled appropriately, the conferees broadened the existing discretionary authority of financial aid officers. H.R. 1846 clarifies that intent, and emphasizes that we see this authority as especially helpful in hardship cases caused by home, farm, and small, family owned business asset problems. In addition, we have clarified that financial aid officer discretion applies to Pell grants and the eligibility for dependent students to borrow under the SLS Program in very limited circumstances.

H.R. 1846 also ends the Secretary of Education's ability to terminate at will congressionally authorized advisory commissions. Some years ago the Congress gave the Secretary the authority to abolish such commissions if neither the House nor the Senate objected. Now that the Court has invalidated the one-House veto, we need to make corresponding changes in the authority the Congress granted the Secretary to ensure that a proper balance remains.

Mr. Speaker, this bill reflects a consensus view. It has been carefully developed, with constant consultation with other Members, their staffs, with committee staff, and individuals and organizations representing a variety of postsecondary education and student loan financing interests. This bill also incorporates many of the technical corrections proposed by the Department of Education, and it received unanimous committee support.

The bill is amended because subsequent to committee action, we reached agreement with the Department of Education and with the Senate on several additional technical corrections. By adding them in now, we hope to eliminate the need for lengthy meetings with the Senate since the higher education community must put these changes into place before July 1 of this year.

I wish to thank my colleagues, BILL FORD, GUS HAWKINS, TOM COLEMAN, and JIM JEFFORDS. They and their staffs have worked as equal partners with me and my staff in putting this legislation together. I urge all my col-

leagues to support this important package of technical corrections.

Mr. Speaker, I reserve the balance of my time.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with our chairman, the gentleman from Montana [Mr. WILLIAMS], in bringing this bill to the floor this afternoon. It is the Higher Education Technical Amendments Act of 1987. I also appreciate the willingness of the chairman of the subcommittee to work with the Republicans in trying to fashion a truly bipartisan bill here this afternoon which has brought H.R. 1846 with much speed here to the floor.

It really puts the finishing touches on the reauthorization process that we started and finished last year, 1986, and the purpose of this bill is to simply clean up some of the technical errors and oversights that we made—as any bill would have of over 700 pages—to correct errors that were made in conference and oversights.

It is of great importance that we pass this bill because many people are depending on these technical corrections. During reauthorization, the higher education community operated in a state of uncertainty due to possible congressional changes in programs vital to their concern. Now the time has come to foster some stability in these programs and to ensure that everybody understands what the final bill will be and accurately gauge the cumulative effects of the reauthorization amendments of 1986.

H.R. 1846 signals the end of that unsettled state hopefully of higher education programs and allows for the stabilization in the higher education community.

While I generally support this bill, Mr. Speaker, we have had a communication from the Office of Management and Budget in the administration here this morning in which they raise some concerns that they have expressed. We have looked into them and indeed find that perhaps inadvertently we ourselves have put some language in about an effective date that we might want to take up and look at again in conference. We are unable under parliamentary rules here to address the issue by proposing amendments today. It is not worth holding this bill up to suggest that we vote against it, and I am not going to suggest that. I support this bill today. But I just want to bring this to the attention of our subcommittee chairman, the gentleman from Montana [Mr. WILLIAMS], and have him acknowledge the problems that were raised in the statement of administration policy on the section of the bill that we have before us that will address the date of enactment in the bill, and I am specifically talking

to page 50 of the bill, section 406(b)(4), and ask if he has any comments regarding that effective date and what we might be able to do with it in conference.

□ 1330

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the chairman.

Mr. WILLIAMS. I thank the gentleman for yielding.

We were just visiting with the Parliamentarian to determine whether or not there was a way to correct it here and, while there is, it might delay the bill some and delay our process here on the floor. I only say that to the gentleman so that he knows that I agree with him that we do want to make certain that the original congressional intent with regard to the effective date is in fact for the school year following the passage of last year's reauthorization. And that would be the 1988-89 school year.

So, yes, I am aware of it and perfectly willing to work it out in conference committee.

Mr. COLEMAN of Missouri. I think the confusion is that there are two effective dates in this amendment. One is on section 25, which says the amendments made shall take effect if enacted as part of the Higher Education Amendments of 1986. The effective date of that act was 1988. Then we have immediately preceding that a section that I pointed out where the effective date under section 479(a) of these amendments would take effect for any academic year beginning after the date of enactment of this act, these technical amendments. This would mean 1987 perhaps.

That is the question of confusion. I just want to make sure we try to eliminate the controversy, if there is any, that OMB discovered here at the 11th hour as we have gone into this.

Mr. WILLIAMS. If the gentleman will yield further, the language of the act which passed last year says this: "Part F of title IV of the act shall apply with respect to the determinations of need under such title for academic years beginning with academic year 1988-89 and succeeding academic years."

That was our intention and any other language is superfluous to that, at least from this chairman's standpoint.

Mr. COLEMAN of Missouri. I appreciate those comments, and that is how I personally would like to have it interpreted. Apparently there would be no objection from OMB or the administration to that interpretation. We can clarify that in conference. I thank the gentleman for his statement.

Mr. Speaker, I reserve the balance of my time.

Mr. WILLIAMS. I yield 3 minutes to the gentleman from Michigan [Mr. FORD], the former chairman of the Subcommittee on Postsecondary Education of the Committee on Education and Labor.

Mr. FORD of Michigan. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of H.R. 1846, the Higher Education Technical Amendments of 1987.

In the last Congress, the Higher Education Amendments of 1986 were adopted. This comprehensive and complex legislation extended and revised the programs contained in the Higher Education Act of 1965. I was privileged to serve as chairman of the Subcommittee on Postsecondary Education in the last Congress. This subcommittee originated the Higher Education Amendments of 1986. Unfortunately because of complexity of the legislation and the need for some haste in order to complete the legislative process prior to the adjournment of the 99th Congress, the Higher Education Amendments of 1986 ended up with a number of imperfections and rough spots. I am very pleased and grateful that the gentleman from Montana, Congressman PAT WILLIAMS, the chairman of the Subcommittee on Postsecondary Education has undertaken the arduous and thankless task of perfecting and cleaning up the Higher Education Amendments of 1986. I apologize for having left him this job as my legacy. However, he has accomplished it expertly and expeditiously.

As its title indicates this is a technical amendments bill. It corrects erroneous cross references and misspellings. It also clarifies a number of ambiguities. I particularly salute the gentleman from Montana for resisting the blandishments of those who would have turned this bill into an occasion for revisiting many of the policy decisions contained in the Higher Education Amendments of 1986. Many of those policy decisions are imperfect and certainly merit further careful thought and consideration. However, to have reopened the policy debates would have delayed this important legislation. For while this legislation is technical, it is also very important. Many of the corrections it makes will enable valuable programs such as loan consolidation and parent loans to become fully operative. Other provisions of this bill will insure the smooth delivery of student financial assistance to the millions of students who rely on this aid for their educational opportunity.

The process of assembling this bill continued the tradition of bipartisanship that has come to be the hallmark of higher education legislation. It was again a pleasure for me to continue working closely with the ranking minority member of the full committee,

Mr. JEFFORDS of Vermont, and the ranking minority member of the subcommittee, Mr. COLEMAN of Missouri. Indeed, this bill was also marked by very constructive and profitable discussions on the staff level with representatives of the Department of Education. Many of the suggestions of the Department have also been incorporated into this bill.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Vermont [Mr. JEFFORDS].

Mr. JEFFORDS. Mr. Speaker, as we begin consideration of H.R. 1846 I think we ought to give some credit, especially to the former chairman of the subcommittee, the chairman of the full committee and also others, the present subcommittee chairman and ranking Republican member, for the fact that we have so few technical amendments to such a large bill as the Higher Education Amendments of 1986. It was a very difficult conference. We had, and solved, many problems in conference with the Senate. The number of technical amendments contained in H.R. 1846 are very, very small in number compared to the size of the higher education amendments.

I would like to raise people's awareness of some problems which occurred before the reauthorization bill was actually passed with respect to about \$2 billion in loans which are owed by students, and due to be paid by students and parents, the so-called PLUS loans. There are a lot of loans out there at 12, 13, and 14 percent which at today's interest rates are exorbitant. We passed this past year a way for students and parents to refinance those loans in order to get out from under those high interest rates. However, for various reasons, these technical amendments were necessary.

I would just urge people to look at the refinancing sections of this legislation because it is an even better deal now than it was when it passed last year. The interest rates are lower, the procedures are more streamlined, and I would urge anyone who knows anyone with PLUS or supplemental loans to take a look at the provisions of H.R. 1846. What we have done is to reduce the special allowance paid for above the 52-week Treasury bill rate—it is reduced from 3.75 to 3.25 percent as the add-on to the basic Treasury bill rate. In exchange for using the 3-month bills we substitute the 52-week Treasury bill rate which will help the banks in matching their funds. We also made some other technical amendments. Borrowers should realize that you now can refinance a loan at somewhere between 9 and 10 percent to replace the 12-, 13-, and 14-percent loans and do it in an effective way.

I would add in closing by saying that the previous discussion with respect to

a possible error, or whatever, that the administration objects to in the bill that we ought to study the issues very carefully rather than just striking the language. We should consider what the ramifications are of what apparently is being done in this bill to meet the objections of the administration. I am not pleased with the OMB, at the last minute, coming up with problems with the legislation. At the minimum, I hope this language will be addressed in conference with the Senate with consultations from the Education Department.

Mr. Speaker, I again would commend all of those who are involved with this legislation and commend them all for it and just point out there are only a very few technical amendments to be considered today, and I urge the passage of the bill.

Mr. Speaker, today, as the House considers H.R. 1846, the Higher Education Technical Amendments Act of 1987, I especially want to thank Mr. WILLIAMS of Montana, and his staff for all their excellent work and for the cooperation he has extended to me and the Republican members of the committee in drafting this bill. Also, I wish to congratulate Mr. COLEMAN of Missouri, the ranking Republican on the subcommittee, for the leadership that he has shown in guiding this bill through committee.

The process of developing legislation to make technical amendments is not glamorous. It is tedious and time consuming. That is why I am grateful to all the members who worked so diligently on this bill which is before us today.

H.R. 1846, and the committee amendment in the nature of a substitute, makes several technical changes in the higher education amendments. It conforms language to the intent of the Congress by correcting grammatical errors and misreferences, and clarifies the law. The modifications we are considering here are needed as a result of the rushed atmosphere of the conference committee on the higher education amendments last year which considered hundreds of differences between the Senate and House versions of the act. It is a tribute to the work we all performed last year that this bill is as brief as it is.

It is critical that this legislation be enacted with as much speed as possible to prevent any disruptions in the authorized programs. Such disruptions may occur if we do not act promptly.

The technical changes I have proposed in H.R. 1846 seek to ensure that the parental loans for undergraduate students [PLUS] and supplemental loan programs and the refinancing options available as part of these programs work as I, and the Congress, intend. I have had a deep interest and concern that too many parents and students are not able to finance high tuitions, room, board, and other required expenses.

If financial aid through grants and the Guaranteed Student Loan Program are unavailable to parents and students, then the options for students are limited. Such students have no alternatives. They must either lower their edu-

cational aspirations or, perhaps, not attend college at all.

Working in the conference committee last year, I sought to make certain that PLUS and supplemental loans would be used by those individuals who did not qualify for other Federal student assistance grants, work or loan programs. This was the missing constituency—those individuals who were not so poor as to qualify for Federal aid nor so wealthy as to be able to afford college without assistance.

I fully expected that the conference agreement regarding these refinancing options would work properly. However, this winter it was brought to my attention that there was confusion about the law's provisions and many, including the Department of Education, were misinterpreting what I believe was congressional intent. Over a period of months I have worked with concerned individuals and organizations to forge an agreement, a compromise, that will solve the evident problems in the PLUS and supplemental loan programs.

The highlights of this compromise include the following:

Technical changes to the method by which the variable interest rate is established. The rate is tied to the bond equivalent rate of a 52-week Treasury bill, plus 3.25 percent. The special allowance is reduced from 3.75 to 3.25 percent to prevent any potential windfall to lenders accruing from such Treasury bill modification.

Federal special allowance paid at the point at which the base interest rate formula exceeds 12 percent instead of 12.5 percent. Specified dates in current law used to set the interest rates are changed to match peak lending periods in the programs.

Borrowers wishing to refinance PLUS and supplemental loans can obtain in one transaction both a variable interest rate and a single payment schedule providing for a combined payment of principal and interest. The calculation of the repayment period for each included loan is determined from the date of the commencement of repayment of the most recently assumed loan.

Only one administrative fee of up to \$100 may be charged to cover the costs of reissuing a loan or loans for those individuals wishing to refinance. It was never congressional intent that a borrower pay a fee for each loan included as part of a refinancing package.

Borrowers who refinance their loans prior to July 1 of this year will be allowed to take advantage of these changes without cost.

Prior to October 1, 1987, information will be provided to borrowers regarding the refinancing options that are available to them and what procedures must be taken in order to refinance.

I believe the technical changes incorporated in H.R. 1846 will allow the PLUS and supplemental loan programs and their refinancing options to work as the Congress intended. I express my thanks to all those individuals and organizations that cooperated with me to accomplish the goals we share—to have a viable program that assists parents and students and makes higher education an accessible option for many who would otherwise have to forego the opportunity. Again, I want to thank Mr. WILLIAMS, Mr. COLEMAN of Mis-

souri, Mr. HAWKINS, and Mr. FORD of Michigan for their assistance in this matter.

I strongly urge the House to approve this legislation.

Mr. WILLIAMS. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. FORD] for the purpose of a colloquy.

Mr. FORD of Michigan. I thank the gentleman for yielding.

Mr. Speaker, JAKE PICKLE of Texas has asked me to engage the gentleman from Montana in a colloquy. The gentleman from Texas is caught on an airplane trying to get back here and was not able to make it. So I am simply reading what the gentleman from Texas prepared for me here:

Mr. Chairman, a small predominantly black college in Austin, TX, Huston-Tillotson College, is being forced to repay approximately \$31,000 which the Department of Education claims was improperly spent under a title III grant even though the expenditures were made with prior approval of the Department of Education. I understand that the Supreme Court has ruled that such improperly spent funds must be repaid; however, the Secretary has given authority to exercise discretion of the amount of the initial determination is not more than \$50,000. In the case of Huston-Tillotson, the initial determination was \$58,000 but only \$31,000 is in dispute. Huston-Tillotson College is experiencing extreme financial difficulties and repayment will further threaten the continued operation of this 111-year old institution. Does the Chairman believe that such a financial hardship should be forced upon this college?

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the chairman.

Mr. WILLIAMS. I thank the gentleman for yielding.

Mr. Speaker, I have reviewed this matter and believe that the Secretary should find a way to relieve Huston-Tillotson College of this burden. The Secretary should work with Huston-Tillotson to find a solution that would be consistent with the Supreme Court's ruling in Heckler versus Community Health Services and that would help ease the financial problems of the institution.

□ 1340

Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. BIAGGI].

Mr. BIAGGI. Mr. Speaker, I thank the gentleman for yielding this time to me.

I take this opportunity to commend the gentleman for his expeditious treatment of the Higher Education Act that we passed last year and its perfecting amendments. This job is onerous; it is tedious, but necessary.

Mr. Speaker, I rise today in full support of the H.R. 1846, the Higher Education Act Technical Amendments. This legislation, which I cosponsored, makes conforming and technical

changes to the Higher Education Amendments of 1986, which was signed into law last fall. The higher education amendments reauthorized and revitalized our important student financial aid programs, including the Pell Grant Program and the Guaranteed Student Loan Program, addressing the goal of equal educational opportunity for all who desire postsecondary education.

Of important significance is what these amendments do not include. The administration again this year proposed to eliminate the college work study, supplemental educational opportunity grants, State student incentive grants as well as proposed significant changes in the Guaranteed Student Loan Program and the Perkins Loan Program. I am delighted to see that the Higher Education Act Technical Amendments are simply that—technical amendments, not policy changes. The intent of the conferees who favorably approved this language last Congress, and the intent of all of those who supported its final passage is preserved. Programs and provisions have not been dismantled. Policies and intentions have not been altered.

This is not controversial or complicated legislation; it simply ensures that the important reforms we made last Fall will be able to operate smoothly and effectively. However, I think it appropriate at this time to re-emphasize the importance of our student assistance programs. Recently, I received letters from constituents expressing their gratitude for student financial aid. Without it, they said they would have been unable to receive a postsecondary education, and would have been unable to achieve their goals.

As we are emphasizing national competitiveness, let us reflect on the importance of education in achieving and ensuring competitiveness. Our Nation's postsecondary institution system is one of the most advanced in the world. In fact, if you visit a typical college campus, you are likely to meet many foreign students who come to the United States just to receive an advanced degree. It is vital that we ensure that our own students have equal educational opportunities to advance themselves and obtain a postsecondary education.

Student financial aid is a sound Federal investment; the returns in increases in tax revenues and decreases in unemployment subsidies and public assistance more than cover the costs. I urge my colleagues to join with me in supporting these technical amendments and our important student financial assistance programs. Education is our hope for the future. Postsecondary education is a necessary component in guaranteeing our Nation's competitiveness. Student financial assistance ensures we are competi-

tive as a whole nation—allowing each of our citizens the opportunity to reach their full potential.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HUBBARD). The gentleman from New York [Mr. BIAGGI] yields back 1 minute of his time. The gentleman from Montana [Mr. WILLIAMS] has 9 minutes remaining.

PARLIAMENTARY INQUIRY

Mr. WILLIAMS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WILLIAMS. Mr. Speaker, would I be within the Rules of the House to now ask for unanimous consent to make a technical correction in this legislation? We have worked out the unanimous consent with the other side.

The SPEAKER pro tempore. By unanimous consent, the gentleman may modify his motion.

MODIFICATION OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to modify the bill at the desk by striking lines 24 and 25 on page 50 and lines 1 and 2 on page 51. I also ask that subsection 5 on line 3 of page 51 be renumbered as subsection 4.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. WILLIAMS: Strike lines 24-25 on page 50 and lines 1-2 on page 51 as part of the amendment.

Renumber subsection 5 on line 3, page 51 as subsection 4.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. COLEMAN of Missouri. Mr. Speaker, reserving the right to object, I certainly do not want to object, but I do want to assist in support of what the subcommittee chairman is doing here.

Just for the record, I ask the gentleman if he would explain the effect of his unanimous-consent request.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Speaker, the purpose of this amendment would be to come in line with what is the gentleman's understanding of the original intention, which is to be sure that the discretionary authority, as granted by the legislation, takes effect in the school year 1988-89.

Mr. COLEMAN of Missouri. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I might conclude by saying that I believe that the chairman's unanimous-consent request has probably addressed, to our knowledge, the concerns expressed by the OMB in a statement of policy that was submitted this morning. There should be no opposition to this bill now by the administration.

We should, therefore, pass it, I hope, unanimously.

Mr. TAUKE. Mr. Speaker, I commend the gentlemen from Montana and Missouri for their fine work in drafting these technical amendments to the Higher Education Act of 1965 and for their efforts to ensure the expeditious consideration of this bill. The leadership provided by Mr. COLEMAN, the ranking Republican on the Postsecondary Education Subcommittee in both the last Congress and in this Congress, on the Higher Education Act legislation merits specific mention.

In addition, I wish to recognize the chairman of the committee, Mr. HAWKINS, and the ranking Republican of the committee, Mr. JEFFORDS, for their contributions to improve and clarify the Higher Education Act and for moving this important legislation quickly. The gentleman from Vermont, in particular, worked diligently to ensure that the PLUS and SLS programs are viable options for students and families attempting to finance higher education.

In correcting, improving and clarifying last year's amendments to the Higher Education Act, however, we discovered substantive issues which also demand our attention. In particular, the needs analysis provisions of the act must be revisited in the near future. Changes made by Congress are having unanticipated and unintended effects on the eligibility of thousands of students for guaranteed student loans and other forms of financial assistance.

For instance, many students from families who farm or who own and operate small businesses are finding themselves ineligible for student loans because of nonliquid assets held by their parents, even though their disposable income is quite low.

In response to this problem, the bill we are considering today includes a provision clarifying and describing the discretionary authority of a financial aid officer to adjust assets when determining eligibility for students aid in cases where income is low in relation to assets. I thank the gentleman from Montana for his willingness to address this issue, and I look forward to working with him and the other members of the committee to develop a more permanent solution to the asset problem.

The technical amendments before us make critical corrections and improvements in the Higher Education Act that must be enacted quickly to ensure the proper implementation of the act for the coming academic year. I urge you to support this bill.

Mr. GOODLING. Mr. Speaker, I rise today to lend my support for passage of H.R. 1846, the

Higher Education Technical Amendments Act of 1987. I thank the gentleman from Montana [Mr. WILLIAMS], the chairman of the Subcommittee on Postsecondary Education, and the gentleman from Missouri [Mr. COLEMAN], the ranking Republican on the subcommittee, for their bipartisan efforts over the past several months which have produced H.R. 1846.

A technical corrections bill is never easy to draft, it is time consuming and arduous work. Making sure that erroneous cross references and spelling errors are corrected, as well as conforming the law to the Tax Reform Act has taken several months of devoted time. Yet, it is time we must spend in order to finalize work on the Higher Education Amendments of 1986.

I would like to echo Mr. COLEMAN's call for stability after such a long period of uncertainty in Federal higher education programs. The technical amendments will finally put to rest the reauthorization process that we initiated several years ago on the Higher Education Act of 1965.

I encourage my colleagues to join in with me in support of H.R. 1846.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. WILLIAMS] that the House suspend the rules and pass the bill, H.R. 1846, as amended, as modified.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, as modified, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COLEMAN of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

□ 1350

EDITORIAL BACKS PASSAGE OF GI BILL

The SPEAKER pro tempore (Mr. HUBBARD). Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, last month the House of Representatives passed our legislation to make the peacetime GI education bill permanent. The Senate will consider the measure in the next few weeks. The Sun-Herald newspaper in Biloxi, MS, wrote an editorial in support of the GI bill. This is one of the best articles I have read on why we need to make the legislation permanent. I want to share it with my colleagues.

GI BILL HELPS KEEP VOLUNTEER FORCES MANNED

The GI Bill that the House of Representatives voted to extend permanently is perhaps one of the most attractive perks the armed forces have in attracting volunteers essential to maintaining the nation's military strength. The overwhelming 401-2 vote, and the expectation of a similar approval by the Senate, indicates that Congress appreciates the value this particular benefit has for today's youth.

Mississippi's 3rd District Rep. G.V. "Sonny" Montgomery proposed the plan on a trial basis three years ago and he has been instrumental in the campaign to make the program permanent. In recognition of his key role in the legislation's success, his colleagues in the House voted to name the program the "Montgomery GI Bill" in his honor.

Service Members become entitled to \$10,800 for college in return for a three-year enlistment and a contribution of \$1,200. Unlike so many government programs dreamed up in Washington, this one works. In the Army, 84 percent of new recruits signed up. In the Navy, the count is 54 percent; in the Marines, it is 64 percent; and the Air Force registered 44 percent.

The prime purpose of the benefit is to assure adequate numbers of qualified personnel to keep the services at their authorized strengths. As military weapons systems become more and more sophisticated, recruiting efforts have concentrated as much on the quality of recruits as on the numbers of them.

Anyone who has toured one of the Aegis guided missiles that Ingalls builds at Pascagoula knows that the capacity of these fighting ships derives from banks of computers and radar sensing devices linked together into a dazzling network of communication and weapons controls. Not everyone can be trained to operate this equipment. Similar complexities abound in the weapons systems that are manned by the other services.

Military personnel who have acquired hard-to-find job skills and those who reenlist for an additional five years may qualify for extra financial benefits. This part of the program is designed to assure the services have attractions that prevent losing specially trained people.

There is a residual, non-military benefit of the GI Bill program. Those who take advantage of the college opportunity will increase the educational level of the civilian society after their discharge. Participating veterans will have better employment opportunities and greater probabilities of becoming productive citizens and taxpayers.

Yes, the new GI Bill will cost more and this is a time when the federal budget needs more careful watching than ever. But this is not the place to mince benefits. This program is a long-lasting investment promising handsome dividends in both the military and civilian communities.

This country has been generous in providing educational benefits to veterans of past wars, many of whom were drafted into service. Those who volunteer for service merit similar consideration.

SOLVING THE TRADE DEFICIT PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Ohio [Mr. PEASE] is recognized for 5 minutes.

Mr. PEASE. Mr. Speaker, as President Reagan prepares to go off Sunday to the summit conference in Venice, the question is, will the United States, long the engine of economic progress for the world, be willing to continue to assume that burden?

The answer to that is a clear "No." That is not to say, however, that the United States is prepared to abandon altogether its leadership role in the economic area.

To pursue the railroad metaphor, I think it would be fair to say that in the years ahead, the United States will be willing to be one of three or four engines of economic progress, but not the only one.

In my view, the United States indeed can remain as the lead engine and probably will, but we ought to be very clear that we cannot afford to be the only economic engine for the world.

The leadership role of the United States over the past several years must change. The United States must insist that the leadership role change, because the United States is in a new fundamentally different situation from what it was before.

The United States now has a worldwide trade deficit which is unacceptable, and we cannot continue deficits of \$170 billion or more.

We have bilateral trade deficits with nations like Japan which are unacceptable. We cannot continue to tolerate \$60 billion bilateral deficits.

The United States has just become the world's largest debtor nation.

We owe more money as a nation to other people than any other nation in the world.

Almost certainly the United States external debt will reach one-half trillion dollars later in this decade before it begins to even off.

The United States has self-inflicted fiscal deficits which are unacceptable economically, and larger deficits which will surely come if the economy slows down, and will be unacceptable politically.

In other words, Mr. Speaker, because of these changed economic conditions, we simply cannot afford to be the sole engine pulling the economic progress of the world.

Because of these burdens, we need help. Others must help to pull and push us along in a world economy. We need to see our allies and trading partners take macroeconomic steps to help the world economy.

The worst thing that can happen would be for the world economy to slow down, perhaps even go into recession over the next couple of years. We need help in the trade arena.

We need help from our friends and allies to open their markets to American products. We need our friends and allies to open their markets to Third

World country markets around the world.

We need to get our friends and allies to avoid taking advantage of us with what we would call unfair trade practices.

These steps are important because of the impact on trade balances. We must reverse our trade deficits and begin to run sizable surpluses in order to service the external debt that we have.

They are important because of the impact on American public opinion. Our friends and allies do not understand how important fairness is to the American people as a concept, and in that regard, we need help in the new GATT round.

We need to have our friends and trading partners take seriously the agenda for the new GATT round, especially those efforts to make the GATT a more effective instrument.

In short, we need help from our friends and allies to convince the American people that a free and open trading system really is worth preserving.

As I said at the outset, it is unlikely that the United States will abandon totally its leadership role and seek to become the caboose of international economics rather than the engine. But depending on economic circumstances, on trade deficits, on the external debt, on public perception regarding the co-operation of our friends and allies, it is quite possible that the United States could decide to throttle back on its efforts to lead the world into prosperity.

Mr. Speaker, it is quite possible that the American public might decide to go off on a different track altogether. Much is at stake, and I sincerely hope our trading partners and friends at the Venice summit are fully aware of the importance of that meeting.

A MEMBER'S TRIP TO MOSCOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, I have just returned from the Soviet Union. I did not go on the Speaker's interparliamentary trip to Moscow.

I did not go on the Secretary of State's trip to Moscow. I went at the urging of two college students, David Harberg and Sylvia Mayers.

About a year ago they had just returned from the Soviet Union after visiting with family by the name of Feinberg, a refusenik family that has been trying to emigrate from the Soviet Union since 1979.

They were so overwhelmed by this family that they made a beeline to my office upon returning from the Soviet Union. They urged me to adopt the Feinbergs and help the Feinbergs to emigrate from the Soviet Union. I

agreed to do so, and I did the things that most of the Members here do to try to urge the Soviet Union to open their emigration policy and bring human rights especially to the Soviet Jewry.

That was not good enough. David Harberg and Sylvia Mayers went back to my home town, Houston, TX, and started an organization called Free the Feinbergs, and they rallied the Jewish community in Houston behind the Feinbergs, and really worked diligently to try to free the Feinbergs.

About November or December they decided that it would be beneficial for me to travel to Moscow to meet the Feinbergs face to face and other refuseniks, so these two college students raised over \$8,000 to send my wife and I and my aide and another person to Moscow.

We went over the Easter break. It was an experience that I will remember for the rest of my life, an experience of seeing how the other half, if you will, lives, an experience of actually seeing face to face and coming to know these people that are so oppressed by the Soviet Government.

You can read a name on a piece of paper. You can see a picture of the refuseniks. You can talk about them. You can hear their stories, but there is nothing, there is absolutely nothing like being there and seeing their living conditions, seeing the harassment, listening to their stories and looking into their faces as they tell these stories and seeing the hurt and the frustration, and the glimmer of hope to one day leave the Soviet Union.

□ 1400

I am glad that I went alone on a tourist visa, not an invited guest of the Soviet Union, because I think I saw some things that normal delegations do not see. I saw a side of Moscow and the Soviet Union that are not shown to official delegations. I take this special order today to tell of some of the things that I saw.

I have to talk in terms of the intimidation, the confusion that we experienced and hopefully can convey what the refuseniks are experiencing right now.

It starts with the airport. When you fly into the Soviet Union you notice right away that even the passage ramps that come out to the plane are painted red and you walk down into a dark airport in the middle of the day, and you walk up to a passport booth unlike any other passport booth that I have been through because there is a soldier sitting behind the booth and all you see is his eyes because he is blocked off; the rest of him is blocked off. There is a mirror behind you so he can see in the mirror to see what you are doing. He does not speak to you;

he does not say "hi"; he just stares at you.

We timed the people in front of us and they make you stand there for 5 to 10 minutes doing nothing but staring at you, looking and reading your passports, making out like they are doing something, but it does not take a very long time to read your passport or your visa.

It is all in the vein of intimidating you before you even get to the Soviet Union. In the airport there are soldiers in uniform all over the airport. It is not like the airport that some people may have seen in the movie that was on television last night; there is nobody there except those that have just arrived. It is blank, it is austere, it is stark, it is foreboding.

As you drive into Moscow from the airport, I noticed that there were lines all over the street, people standing in lines everywhere. Lines that were a block long, waiting to buy, as I found out later, waiting to buy the essentials of life. Eggs, flour, maybe an orange or two. These people have to stand in these lines for 2 to 4 hours just to buy eggs.

The stores are empty, although the windows have merchandise in them. We were told by everybody, including our State Department, that our rooms would be bugged; that our luggage would be gone through, and that we would be followed, and we experienced that during the whole trip.

I do not know if my particular room was bugged, but after touring our U.S. Embassy in Moscow, there is no doubt in my mind that it was. I think that the intimidation, the confusion, the totally controlled society that is in the Soviet Union is something that Feinbergs are experiencing. Let me describe the Feinbergs to you.

The Feinbergs, Michael and Fana Feinberg are a wonderful family, not unlike many families that would be living right next door to you. Michael Feinberg is a very well-educated man. He has a doctorate in computer science and mathematics, he has been published in this Nation. He was a member of the American Mathematics Society, and he was on the board and a reviewer of mathematical reviews; a highly, highly intelligent man.

His wife, Fana, is an English teacher. She had hoped that one day she would be an actress. She is a graduate of Moscow University and a highly, highly intelligent, warm woman. They have two sons, Michael, Jr., who is 20 years old and another son, Andrew, who is 16 years old.

The Feinbergs have petitioned since 1979 to leave the Soviet Union and ever since their petition, they have lost their jobs, their children are the tops of their class and are refused admittance to Moscow University not only because they are refuseniks but because they are Jews.

Michael the father works now as an auto mechanic; a brilliant mind like this is working as an auto mechanic. Their living conditions are such that they, in comparison to many Soviets, they live very well. They live in a three-room apartment that I estimated to be less than 500 square feet and they are living well.

The apartments are of the lowest quality. When you go into their apartment building there is somebody sitting there at the front door to watch your comings and goings. By Soviet standards, it is supposed to be a wonderful place to have in Moscow.

I came to realize over the 7 days that the average Soviet citizen has worse living conditions than most of our recipients that are on welfare in the United States.

The Feinbergs told us stories of their harassment. Not only losing their jobs, but they showed us the many, many letters of hate, the hate mail that they get. The boys have been attacked by their peers, physically and mentally. The boys have been inhibited from growing because they are denied entrance to Moscow University. Andrew had just participated in a contest. Last year he was No. 1 in Moscow in this contest and they expect him to be No. 1 again. A brilliant young man of 16. Michael, Jr., had placed second in that same contest and was the top of his class, but there is no future for these two young men.

They told us of the anti-Semitism and described the anti-Semitism in the Soviet Union and it is horrendous. In fact, one of the questions that I had a hard time answering was that Michael looked me straight in the eye and he said, "Why would a Christian be interested in a Jew in Russia?" I do not think I answered his question quite right because he had been raised under anti-Semitism. If you wanted to cuss somebody out in the Soviet Union, if two young people were fighting and they wanted to call them the dirtiest name they could think of, they called them a Jew. Anti-Semitism in the Soviet Union is rampant.

This is a family that wants to be free. Ever since Michael Feinberg has been thinking for himself since he was in what would be our fifth grade, he started thinking about collectivism. He started thinking about his society stopping his ability to grow. That anyone that excelled was looked down upon because individualism was frowned upon.

The Feinbergs want to be free to practice their religion. They want to be free to think and dream and grow and be free to reach their potential. They want to be free to leave the Soviet Union.

Words cannot describe the courage of this family. This family is just one example of thousands of refuseniks

that are in the Soviet Union waiting and some have been waiting upwards to 16 years to get approval to leave the Soviet Union. These people are just not somebody that you would think of as a Russian somewhere half-way around the world. These are people that are just like your neighbors. People that are alone in their endeavor. People that live in a society that really does not want them but will not let them go.

We held a seder, which was a very moving experience, in the home of the Feinbergs. For those of you that do not know what a seder is, it is a celebration of Moses leading the Israelites out of Egypt.

□ 1410

It had particular significance for us because things have not changed over all these many years. The Jews and many others in this world are being held and are being treated like slaves, waiting for deliverance waiting for hope.

The seder, we took all the material because you cannot buy any religious material in the Soviet Union. We took the prayer books. We took the Haggadahs. We took the gefilte fish and all the food that is necessary to celebrate the seder so that we could celebrate it. It was the first seder that the Feinbergs had experienced. It was a very moving experience going through the Passover and the flight of the Jews out of Egypt, just as we are trying to bring them out of the Soviet Union.

Now, the Feinbergs had been waiting for 8 years. As I said, many have been waiting, I met people who had been waiting as many years as 16.

I do not think the American people, certainly I did not, understand what it was like just to apply for emigration from the Soviet Union. You know, when we apply for something in the United States, we just fill out one application and turn it in. You may have to provide a few documents to prove your position, but basically it is just filling out a form. Not so in the Soviet Union. When you want to emigrate from the Soviet Union, an application is a very thorough application. You have to gather up all your amendments. You have to go to your schools and get updated grades and the status of your children. If you happen to have a job, you have to get documents from your employment. You have to get documents from your housing people.

The stack of documents that you have to put together takes you anywhere from 1 to 2 solid weeks to gather. Then you take it to the Elvir, the Soviet Office for Emigration, and present it. You can only present it once every 6 months. Some of these people live in 6-month cycles, because every 6 months they make an applica-

tion. They are refused and in the next 6 months they are right back again with a new application.

But just think of this, having to gather all these documents. Every time you go to your employer, the harassment starts again, or if you go to the school, the harassment starts again with the schoolchildren and the teachers, because in the Soviet Union if you want to leave the "workers' paradise," you are considered a criminal and you are treated as such.

Now, these people are being denied and no rhyme or reason is being used to deny or to refuse them emigration from the Soviet Union, which adds to the confusion and creates an instability among the refuseniks, because one does not understand how a friend got out, when their case is more horrendous than the friend's.

There is no procedure. There is no decisionmaking procedure as to how to get out of the Soviet Union. People are being refused today mainly because in one way or another they have state secrets. Everything in the Soviet Union evidently is a state secret.

I met one woman, her husband and she were refused because she had state secrets in her job. Unfortunately, she has never worked in a job. She is a housewife, but I guess because she is a housewife she has state secrets.

Another couple was refused because someone outside their immediate family was involved in a job that had state secrets and when they asked who that person was, the reply was, "Well, that is a state secret and we can't tell you who that person is."

People are being denied emigration because they may have worked in a job 10 to 15 years ago that may have been a closed job and they are being denied on the ground of state secrets, which continuously adds to the confusion, the frustration; but these people continue on. They are dedicated to leaving the Soviet Union.

Now, I have been involved with Soviet Jewry for a year now. I thought the application and getting approval was everything. That is the smallest part of getting out of the Soviet Union. The biggest part is getting approved, because once you are approved you are given about 3 to 4 weeks window by which you must leave.

We met with a couple who had just received approval and they were going through all the harassment, as I call it, to leave. First off, it costs you a thousand dollars per person for the visa to leave.

Now, a thousand dollars in a society that averages anywhere from \$2,000 to \$2,500 a year is a lot of money. A family of four just to buy the visa needs \$4,000, which is at least 1 year, if not 2 years' salary for these people.

You have to get clearance from everyone. If you own your flat or even if it is a government issue flat and you

worked to improve it, you may have put in some new light fixtures, you may have put in some wallpaper, you may have put in some sort of flooring just to fix a bland vanilla four-wall room, you have to tear that all out and put the flat back into the condition that it was when you moved into it. You have to get approval on all that. If you put in a new light fixture and you pull it out, you put in the original bulb, then you have to get approval that that had been done.

You have to gather in the committee for your cooperative that runs your housing unit, your housing building, and you have to bring them together. They have to approve that you can leave.

You have to do this with your employment and get approval from who you work with and the committees that run the job, the business that you may be working for in the state.

You have to get approval from the schools.

You can imagine the heartache and the toughness of just putting all this together, and you have a time limit to do this before you can leave.

This family that we met with has approval for taking their mother out with them, so they have to go through the same sort of approval procedure with their mother, so they are having to work twice as hard to meet the May 6 deadline to get out of the Soviet Union. He estimated that it is going to cost his family 30,000 American dollars to leave the Soviet Union. That is over 10 years' salary that it is going to cost this family just to leave the Soviet Union, and they are not leaving with any of their possessions because you are allowed five kilos free for each family. Anything over that, you have to pay extra to carry out, and you cannot carry out any of your documents. You cannot take out of the Soviet Union your marriage license, your birth certificate, your records of school or any other record that you may need when you set up life anew in the new country. They do not allow it.

You cannot take any "historical" items or antiques. The definition of historical and antique is subject to the whims of whoever is determining whether you can take it or not.

We met with a gentleman whose father is a very accomplished artist and he has well over a hundred paintings that his father did, and his father is no longer alive. He will have to leave those paintings behind because he will not be allowed to take them out.

There are just thousands and thousands of stories like this, like the Feinbergs.

I would like to mention one other that particularly touched my heart, Vladimir and Anna Lifshitz in Leningrad. I might say parenthetically that in Leningrad the refuseniks have it twice as bad because there is no emi-

gration office in Leningrad. If they make an application, they have to travel 8 to 9 hours on a train to Moscow to make their application and do all the paperwork, so there are added problems there.

□ 1420

But Anna and Vladimir Lifshitz—some may recognize Vladimir because he was in prison in Siberia and was one of the 140 that were released recently as a show of openness by the Soviet Union—while Vladimir was in prison, his son was drafted into the army. Now his son has a bleeding ulcer, which should have given him a deferment from the draft, but the military wanted to draft him so bad, and he was told later that the reason they wanted to draft him was to get him away from his criminal parents. So they fraudulently changed the records and made the physicians that gave Boris his physical say that he has gastritis, not an ulcer, so he was taken into the army.

About 2 to 3 months later he was in the hospital for his ulcer. He got out of the hospital and went back in about February. He has been in the hospital for 2 months for an ulcer, and the physicians have yet to diagnose his condition, because they found the records by which he was brought into the military, and they are scared to death to change the diagnosis of gastritis from when he was drafted back in August or September. So they are fighting amongst themselves as to diagnose Boris as having a bleeding ulcer, and he is in the hospital right now and has been there for 2 months.

We tried to raise this situation with the Soviet officials, and I do not think that we got too far.

What am I talking about? I have seen the workers' paradise. I have seen where it stifles creativity and individualism. I have seen where it rewards complacency and rewards the absence of productivity. I have seen where it usurps and denies the inalienable right to life, liberty, and the pursuit of happiness.

Freedom is nonexistent in the Soviet Union. The society I feel is on the verge of collapse. I told about the lines of people standing in line for 2 to 4 hours just to buy eggs or an orange or some flour. The living conditions are incredibly bad for the average Soviet citizen.

I have seen the failure of socialism or communism and how it is reflected in the plight of the Soviet Jewry.

We have a chance to ring that Liberty Bell one more time for our fellow human beings in the world. We have a chance to ring for freedom. We have a chance to help people get out of the situation that they find themselves in. And we must work and we must be committed to do whatever we can to

urge the Soviet Union to open their society, to let people freely come and go, to allow people to freely express themselves so that they will feel that fulfillment that we feel here and we take for granted in America.

We must commit ourselves, and I am more committed than ever to the freedoms that we take for granted, and I am committed, as I hope every Member of this body will become committed if they are not already, to present this gift of freedom to the refuseniks in the Soviet Union.

It was a gut-wrenching experience to tell the Feinbergs goodbye and to leave them in that situation in which they find themselves. It was also a feeling of guilt that I have not done more for the Feinbergs or the refuseniks to help them get out of the Soviet Union. But I am more committed than ever to work as hard as I can and use all my resources to let the Soviets, the Embassy here in Washington, Gorbachev, and anybody else that I can get ahold of to let them know that we are not going to give up, that we are going to work harder than ever to see that the Feinbergs are free.

I ask the help of my colleagues to work with me, as I will work with them for their families, to help bring these people out. Free the Feinbergs.

THE SITUATION IN CENTRAL AMERICA

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from Florida [Mr. McCOLLUM] is recognized for 60 minutes.

Mr. McCOLLUM. Mr. Speaker, I have just returned from a rather interesting experience in Central America that I would like to take this special order time to report to my colleagues on. During the course of that period of time that I spent down there in the last few days I visited Nicaragua, Honduras, and El Salvador. The primary purpose of this trip was to investigate the situation with regard to refugees and displaced persons, as I went as a part of the Immigration, Refugees, and International Law Subcommittee on a factfinding mission for that purpose.

In the process I could not help but also observe things relative to our policy going on down there concerning the Contras and concerning the entire situation with regard to the democracies in Honduras and in El Salvador. So for a very brief period of time this afternoon I would like to review both of those subjects, first discussing for a few moments what I had occasion to observe with regard to the refugee status in the three countries, and then some of the politics, because I really think in the last analysis the two are intertwined. You cannot have one without the other, and the reason for

the refugees and the reason for the pressure is of concern to us with their possible migration to this country, with the United Nations having to care for them in many cases with our assistance and our funds, or in the case of El Salvador and the disposados with our funds with AID.

I think that they are there because of the disruptions caused by the turmoil in that region of the world.

First of all, in Nicaragua the refugees of concern to all of us are the Miskito Indians. Many of them have left the country in large numbers to go to Honduras because of some of the oppression of human rights that has been imposed upon them by the Sandinista Communist Government in Nicaragua.

Now the Government of Nicaragua says we made a mistake by some of those things that we did in disrupting the lives and the customs of those Indians that live on the Atlantic coast of Nicaragua, and they want to make amends, and they have proposed a new autonomy program.

While we were in Nicaragua, Congressman FISH and I, who were on this expedition, had occasion to speak with some of the Miskito Indians. We talked with Vice President Ramirez of the Nicaraguan Government. We spoke with the various U.N. and international committees that deal with this problem and others in the church and so on, and in Honduras we followed up by exploring the matter with those in the private voluntary organizations and in our Embassy who follow this problem.

The long and the short of it is that they are having a meeting this week or next dealing with the question of autonomy in which the resolution of this matter is expected by the Nicaraguan Government to come to fruition. That is, they are going to give some kind of an autonomy, that they call autonomy, to the Miskito Indian tribes.

The problem with that is that no one is clear on what the definition of autonomy is, and that is what that meeting is supposed to achieve. But in talking with Vice President Ramirez, it was very clear to me that autonomy was something far different from what maybe you or I envision. It is not as he said like the States of the Union. There are not going to be any independent governments out there. There is not going to be one or two or three or four groups that have some kind of right to exist as nations such as we have Indian nations in this country.

Everyone is going to continue to be a part of the government, part of the country of Nicaragua, be obligated to serve in the armed forces, be obligated for all the other things and be subject to all the rules and the regulations and so forth. But apparently there is going to be some kind of a system of councils that they envision to be set

up whereby those who are leaders in the Miskito Indian tribes and in the groups of other ethnic origins who are in that region will be able to have an input into the affairs, at least in terms of advice and suggestions and so forth.

□ 1430

When we got to Honduras we discovered what some of the Miskito Indians had told us was more than true. Those in Nicaragua with whom we spoke said, "We are not happy with this. We were not asked or allowed to participate. Some were, granted, some will, but we were not," this group told us. And they said they had grave reservations because they did not know what autonomy really meant and they thought that when some of their colleagues came back from Honduras, as they were coming to define this new autonomy, they were going to be greatly disappointed.

While in Honduras we found out that that is the case. As a matter of fact, while we were there it was reported by those who were observing out in the area where these refugees have fled from Nicaragua, that those, many of those who had gone into Nicaragua, returned from Honduras were now coming back within a day or two while we were there. They were reporting that the reason they were coming back was simply that they had not been pleased with what they saw. Their villages, their living areas, their lands had all been uprooted. The policies of the Sandinista government, causing this radical movement in the first place, left a rather devastating condition, and they did not like what they heard. They did not like what they saw.

So it is my observation that we are going to continue to see discontent among those thousands and thousands of Indians who have moved across into Honduras from Nicaragua and that the autonomy program is unlikely to work though it is something from a human rights standpoint we are all interested in seeing and at least pleased that the Government of Nicaragua now recognizes that it committed atrocious grievances against those Indians and is at least in part willing to change some of its activities with respect to them.

While in the two countries of Honduras and El Salvador, we observed the refugee camps in Honduras. Those are refugee camps that are both Nicaraguan non-Indian refugee camps as well as those with the Miskitos and Salvadorans who would come across the border. For those who are not familiar with the geography, the Central American region is very close to ours. When I left Miami and flew down to Managua, though we had a stopover in San Salvador, if I had flown directly the flight would have been probably

about 2 hours. It is a very short flight, not much longer than coming from my congressional district in Orlando to Washington to come to work. And while the area down there is large by comparison with some of our States, certainly the countries are no larger than our States and some of them are smaller than most. You are talking about a rather small territory, in other words, in terms of land, as we think of it in country terms.

And in the country of Honduras with its borders to Nicaragua and to El Salvador, you have enormous numbers, thousands and thousands of those who have left those two countries because of the war conditions existing in those countries.

The Nicaraguan refugees we did not find much change in from a previous visit that I made to that area and to those camps a couple of years ago. They still have essentially the same population, not the Contras now, but the civilians who do not choose to participate in either side of the conflict in Nicaragua, who have been farmers, who are poor peasants, who have come to flee from the activities that are there and in large measure to flee from what they perceive as an institution and government which suppresses their right to grow their crops and to dispose of them as they want. There is a socialized system that they are not used to which exists in Nicaragua today.

We do still have young men who have fled from the draft in Nicaragua and they are a troubling element because they do not really have a place, they do not fit in; they want to go, they want to leave and be placed somewhere else, but there is no one who wants to take them and no place for them to go.

The camps are somewhat depressing but they are run by the United Nations High Commissioner on Refugees, and they have the support of many volunteer organizations and I would say, all things being considered, the two major camps in Nicaragua, or in Honduras for Nicaragua, are well run, healthy and doing as well as one can expect.

The two camps that are there on the Salvadoran border are also run by the United Nations High Commissioner for Refugees. Their conditions are, from the standpoint of refugee camps, quite good. We were able to visit one of those, Mesa Grande, which is the largest. There are about 15,000 refugees in that one camp, some 20,000 to 25,000 refugees all together in the two camps along the Salvadoran-Honduran border.

Most of these refugees are children. You are talking about better than 60 percent of the 15,000 or so in the Mesa Grande camp being under the age of 16.

For them life in a camp like that is truly a tragedy. Even though they have some opportunities for education, it is nothing like they should have; even though they have food and health care, there is not an opportunity to grow up as a child even as they would in the poorest of the poor regions of El Salvador.

So I say for those many, many children it is a tragic circumstance, not to mention the fact that it certainly is for their parents as well as their grandparents who are forced into this condition of living or choose to because they feel that the matters are too much in conflict to go back home to El Salvador.

Now there is hope, though, and I think that that is something that needs to be commented on. The Mesa Grande refugees, as opposed to the Nicaraguan ones, are now in a position to consider returning because the war-like climate in El Salvador has diminished considerably. The Government of El Salvador has indicated some interest in repatriating these folks. The United Nations has been sending a few back. Finally, the group themselves, who have been reluctant for so long, are beginning, in larger and larger numbers, to want to return. As a matter of fact, we met with the directorate, the leadership of this camp, for some time. Also the U.S. Ambassador to Honduras, myself, Congressman Fish and some of the staff persons. We met for over an hour and we discussed the fact that some 4,000 of these Salvadorans at the Mesa Grande camp would like to return as soon as possible to El Salvador.

But they have some conditions that they want to be met and they have presented them in writing previously through the United Nations and have yet to receive a response though the request is fairly current.

At this meeting they presented to us a new proposal for returning, something that they asked if we could send on to the Salvadoran Government they would greatly appreciate. And I did have the occasion the following day to present this to the person in the Salvadoran Government with whom I met who deals with refugee matters. Apparently, from what I was informed from his response verbally to me, they do have much more reasonable requests than they had previously.

One of the interesting things is that during the entire time of several years of conflict, while these refugees have been at Mesa Grande, many of them for more than 5 years there, no representative of the Salvadoran Government has ever been invited there and none has ever visited.

Now, for the first time, during this directorate meeting we had inside the camp at Mesa Grande, we had not only a request for leaving that country, going back home, made by these

directorates for at least some of their population, but we had an expression of willingness on their part to receive the Salvadoran Ambassador to Honduras or any other reasonable representative of the Salvadoran Government to talk about repatriation and related matters. I think that is a very positive sign.

In discussion with the refugee officers inside El Salvador the next day I got the impression, the very strong impression, that the Salvadoran Government was about to proceed with sending an emissary into that camp and, hopefully, to establish long-term meaningful relationships with those who were there, with an intent to repatriate as rapidly as possible those who are indeed desirous of coming back to El Salvador.

So I come back from this visit to the region, at least in this part of the refugee matter, with great optimism in hopes that within the next few months or possibly over the next couple of years, if it takes that long, we will see finally many of the Salvadorans, who have gone to Honduras, return to El Salvador.

I do not know that it is going to be easy and I do not think that our expectations should be up, because we do know that most of those who are in the camps in Honduras are from what is known as the conflictive areas, some of which are not fully under government control to this day inside El Salvador. There still is an MFLN revolutionary movement inside the country, and it is still dangerous. Not only that, we are putting our heads in the sand if we did not recognize the fact that many of those camps, I have no way of knowing what percentage, no way of knowing, that are friends, families, sympathizers to those who have been in the revolutionary movement against the Duarte government for a long time. But it has become increasingly apparent to those of us observing the matter that as democracy has flourished in El Salvador and as the word has come back of things improving in that country, however be it so slowly, that these individuals are beginning to see some hope that they can return and that perhaps the cause of their revolution is not what it once was; that indeed some of the grievances which they had which caused them to be involved or supported those who were involved, have abated and that they now have those addressed by the Duarte government.

It is my hope that as time passes and more contact is made between the Government and these folks, that that will even become more apparent to them because they are isolated, considerably, from the rest of the world.

Now I would like to talk for a few moments not about the Salvadoran refugees as such, but over in Salvador

about the desplazados, those who are in El Salvador but who are displaced persons. These are people who would be refugees but they have not left the country.

Technically, you are not a refugee under the laws of the United States or under the viewpoint of the United Nations until you have gone across the border. There are still thousands and thousands of people in El Salvador who fled from the rural areas to the cities or to the communities, little towns, to get away from the conflict, left their farms.

□ 1440

Some of them are returning, and that is the good news, but there are still many who are in the cities. There are still many who are in the towns, living in very, very poor structures and under conditions that are less than desirable.

We do now, though, as opposed to back in 1983 when I first visited El Salvador and started a medical relief program, have health care; we do have a lot of conditions that have improved. The U.S. AID Program is working very effectively. Project HOPE is there. Many private volunteer organizations are involved, and even more since the earthquake tragedy of a few months ago that rocked that country have become involved.

Our church organizations and so on are involved even more. Americans' good will is probably at its height in El Salvador, of all of the Central American region.

We are there; we are on the ground; we are involved; we are a participant. I think the Salvadoran people recognize us, indeed, as friends.

There is much more to be done, and obviously, nothing short of absolute peace and tranquility in the countryside and a revived economy is going to make that country the kind of a place that we hope it will be some day, that it promises to be.

But it is, as you know from the elections several years ago now, truly Democratic and a remarkable demonstration of Democracy in those elections. The people reflect it.

What I would like to say about the desplazados, though, is that beyond that fact, many are returning to their homes. There is a little town called Suchitoto. That little town, located outside San Salvador some miles, is a town that was the battle point center of the final offensive that the guerrilla forces tried to push onto San Salvador before President Duarte and shortly after the Sandinista revolution in 1979 and 1980 in Nicaragua.

This was a town that held out against the guerrillas. It is a town that was shot up literally. It is a town in which most of the population left at some point in the early 1980's, but it is a town today that is back in a region

where the guerrillas no longer operate, where the government forces of President Duarte are in command. It is a town to which many are now returning. It is a town to which many of our folks are turning their attention.

I mentioned in a 1-minute speech earlier today the efforts of the folks who support Dr. Wells and his wife, Ruth, from my region down near Orlando, in Edgewater, FL, where they have poured paint in to repaint the buildings, where they have put efforts in there for educational programs. The government, and many others, and our own AID people are doing everything they can to make that community once again livable and to allow people to go back there.

I think that is very significant because for El Salvador to survive, and for the nation to thrive, the people have to return. They have to do the farming again; the towns have to go as they were before, and this is one of any number where this is indeed occurring throughout that country.

It is an entirely different note of optimism and hope from what I have observed on three previous visits to El Salvador.

There has been extensive earthquake damage, but that earthquake damage now has received the attention of the public and the governments, and much of the efforts to rebuild are not only under way, but in some cases, they have gone a long way. Many people were killed, but there were also many blessings.

I visited some sites where, miraculously, young school-age children were dismissed from class for one reason or another before the earthquake struck; people had premonitions; somebody was out on a field trip. A lot of people believe divine providence intervened to save the lives of many who would have been otherwise crushed when structures collapsed in that city of San Salvador.

But there were those who were not so fortunate, where divine providence or nothing else was able to help. Nonetheless, the city is recovering from that, and much of the economy is involved in the reconstruction and the building process that is going on down there.

We have going on something else that I would like to comment on, and that is a prosthesis program. Many of the civilian population, upward of 500 or more, have lost their limbs in recent years due to landmines that the guerrillas have placed in the countryside. Many of those are small children.

One of my colleagues, the gentleman from Virginia [Mr. Wolf], on a trip down to Salvador not too long ago observed this difficult problem and the fact that there was no real solution; that is, there were no prosthesis devices for amputees to have arms and limbs replaced with artificial ones.

Upon return, he stimulated a great deal of interest in this, and today, our Veterans' Administration and AID are working on a project which we fully expect will replace the arms and limbs on many, especially the children, in the coming weeks and months.

I believe some 30 or so are targeted for such replacement in the next couple of months itself. I think that this is great progress in the humanitarian front. That is just but one example of the many ways in which our people have become involved in the humanitarian aspects of the tragedy that has come out of the war-torn regions of Central America.

Some of us have questioned over a period of time whether or not the country of Salvador is safe for those here in the United States to return. Is there a human rights violation going on there still? Are there threats to their lives if they go back to the countryside from the guerrilla movement?

Let me say in all candor that there is not an absence of conflict totally in the country. In some of the far regions, the departments, the provinces, as you would call them, there is still a conflict. There still is a potential for the rebels to come up on a town and to do damage and to, of course, destroy.

There are also those landmines that I talked about that are mischievous and devious and terrible things that have been planted, some of them long ago, but still exist so that one might walk across one and be harmed by it.

But by and large, considering the situation around the world in many other places, the country of El Salvador is quiet today. The incident the other day where one of our Americans lost his life as an adviser there was an exception to the rule. It was not inconsistent with the conditions that exist there today because there are occasional and very sporadic outbursts by the rebels.

But it is a far cry from what it was before.

In speaking with the Intergovernmental Committee on Migration, which receives all of those who are deported from the United States, or who leave here voluntarily to return to Salvador, they have an immense description of the situation there and their investigations, their followthrough and all of the observations they have made, lead them to conclude that, indeed, the situation in Salvador for returnees is good; that there have been very few incidences that have been reported of those who have been returned over the past few years where there have been any human rights violations or any tragedies of that nature.

There have been a few deaths, most of them by incidence of bar room brawls or a husband/wife dispute or something of this nature, but there

have been no continuous stream of human rights violations such as we heard reported from that country before the democracy was established and before the military came under civilian control.

I do not want to diminish the fact that we know there are some human rights violations that still go on in El Salvador; nothing compared to what I observe in Nicaragua today, but there are still some. The numbers are dramatically down. All the charts of all the human rights organizations show this, and that is the good news. That is the good side of the story.

Frankly, the court system down there needs a lot of reform and a lot of work. I had occasion to talk with some of those involved with the process and the good news is that they are working on that. Some proposals will be out this year. But there is nothing there in that country, nor in most of the world, frankly, like our judicial system, where we have the rights of the accused and the speedy trial process and so forth.

But they are beginning to change in that country and that is different from most of Latin America. That change itself will improve those human rights conditions, in my judgment, over the next few years in a dramatic way, even from what it is today.

But the bottom-line point is that for those who are concerned, and I know many of you are, about those who go back to Salvador from the United States, and there are some 500,000, supposedly, who are here illegally today—maybe some of them will not be so illegal after this new bill takes effect for legalization this summer, but some 500,000 here, some of who are illegal, anyway, those who are concerned about their return should be comforted to this extent.

The Intergovernmental Committee on Migration [ICM] is the organization that allows for and provides for the placement of individuals who feel threatened by political or religious persecution in a country like Salvador to another country. Whether they are returnees from the United States or they are someone who is there indigenously living in Salvador, if someone feels threatened with persecution, if someone has a problem with the government; someone has some kind of a problem that he feels that he cannot any longer live with and stay in the country of Salvador, it is ICM that goes out and has interviews conducted with countries like Australia and Canada and Sweden to take these folks.

Several thousand a year come to that organization inside El Salvador and say, "We want to be placed."

Not all of them are, when they are interviewed and screened, by any means. Many of them do not really have real verifiable persecution prob-

lems. They have other problems with the economy or what have you. But several thousand a year are placed elsewhere, and yet only a handful, less than 100, are placed each year out of those who return from the United States, and many, many more do.

The fact of the matter is that everybody who returns is aware of ICM and its operations.

□ 1450

The belief, I think, is justified that if there were indeed threats to those who return, abnormally so to the population, there would be many more who would come to ICM for replacement or to seek placement in another country. I think, from all the studies that have been done and to follow through on the paper work, the question comes in this fact alone, that we can take comfort that those who go back face difficulties in the economy, but they will not face physical harm or justifiable fears of persecution.

I have reported now on the refugee matters, on the displaced persons matters, and on some humanitarian concerns in El Salvador and on those concerns we have with those who may be returning from the United States to El Salvador. These are the genuine humanitarian concerns that all of us live with, are concerned about, and that the Immigration and Refugee Subcommittee has a special concern for.

I would like to turn my attention now for a few moments to the question that inevitably arises and concerns us all: The overriding concern in Central America, the question of communism versus democracy and the question of United States national security interests. It is a question that has been debated frequently on the floor of this House. It is a question that undoubtedly will be debated again at some length later this year when we consider whether to grant more money for the Contras who are the freedom fighters who are fighting the government of the Sandinista Communists, and whom we voted to support with \$100 million last year, and which group we are now fully supporting with that money, but which group many do not believe we should.

I would like to talk about first what I observed in Nicaragua very briefly, because many others have reported on it and most of my colleagues, the overwhelming majority, recognize the Communist Sandinista government for what it is.

It is an oppressive totalitarian regime, and it has brutalized its people in many ways, and it is not a humanitarian government that some once thought it was going to be.

There is technically freedom of religion in the country. Sometimes I get into debates, and that term is used, and we say, those of us who as I do support Contra aid and do not care

much for the government down there, that there is no freedom of religion, and somebody else will say there is.

Technically speaking, I have concluded from my trip there is freedom of religion; that is, freedom to pray, freedom to worship God in the way that you wish, freedom to belong to any religious denomination or sect, freedom to practice whatever rite or ritual is appropriate to your church or your organized religion. But there is not freedom of religion as it has traditionally been known in Central America or as it is known today.

The religious leaders in that country, particularly the mainline Catholic Church, are not permitted to speak out on the social issues of concern. They are not permitted to spread the word through written communications to the general populace.

They are not permitted to have assemblies to bring attention to the government grievances that exist for the concerns they have over human rights inside the country, and that very important role that most of us associate with religion in church just does not exist in Nicaragua.

So those who are concerned about religion in Nicaragua have a right to be, and those who technically say ah, but there is freedom of religion, do have some basis for making that argument, and I hope that those who are listening to my words today, and those who may read the reports that are filed later, have a better understanding of why the two sides to this dispute of religious freedom can have different perspectives coming from the same viewpoint.

The fact of the matter is that I do not find the conditions for religion in Nicaragua acceptable at all, because I do not find the silencing of the voice of freedom to speak and the voice to express grievances over human rights and social conditions to be acceptable in that country.

It is my judgment that the church, above all else, has a place and a role to play in furthering the cause of human rights, and to silence that church on those counts is wrong, and it is obviously a product of a totalitarian system, albeit one which has some manner and means of trying for its own reasons, perhaps propaganda, perhaps genuineness, I know not, to give an image and to project some degree of religious tolerance.

Now, the question of expression is clear, not only in the religious world but everywhere.

Nobody is really free to speak in Nicaragua. Your conversations are overheard by people, by machines, by recordings when you make a telephone call, when you talk on the street, when you say anything, so people do not speak very freely there, though they

speaking so as perhaps more freely than they might normally.

We were pleased to hear from the business and political opposition, and they were very cautious about how they said what they did, and sometimes it was more a matter of a nod or a wink that we got the idea what they were trying to convey, because they did not want to have their lands taken, their jobs removed, or their selves persecuted or prosecuted even as has been the case for those who have spoken out.

There is no opportunity for the free enterprise system as we know it to have any chance of ever operating there. It is a Communist totalitarian government.

They still have some rights of partial ownership of property with some individuals in that country and some corporations or some semblance of corporations, but the fact is that those who "own the businesses" do not have the right to hire whom they please or set the wages. They do not have the right to choose what they are going to produce or in what quantity.

They do not have the right to pick what parts they are going to buy, or what equipment they are going to acquire. They do not have the right to market their products or to have any say in the pricing of those products.

In short, they are working for the government. All they have is some semblance of paper title, some partial title in most cases, because the government owns part of most things down there, even technically now. Yet they struggle because they believe in the system, because they recognize as I observed in Nicaragua that the poverty that exists there has been exacerbated by the Sandinista Communist economic system that has been imposed.

The people queue up in long lines to get to the government stores.

I observed those as much as my colleague observed the fact he was just in Moscow and Russia and saw the long lines people have to stand in there.

There is a reason for that, because the Soviet Union supports this government, and it is their products, their lands, their food and their trade and so forth that currently allow it to exist in this fashion, and in much sadness it is this model which is being used.

The people, though, individually are trying to keep up. They are trying to do something with their lives. They are trying to get along.

The marketplace that exchanges some produce in downtown Managua still exists. Individuals have a lot of cottage industries out of their homes where they try to scrape together a small amount of money or something that they can produce that they can exchange and barter for those items at the marketplace.

A fence was erected, and some efforts were made a few months ago ac-

tually to discourage this activity, but because of the scarcity of things in the country, and the dissatisfaction of the populace with things generally speaking in the economic world, that effort has fortunately come to no avail, so there is still some of this going on there.

The water and sewer system and the general condition in the city of Managua is deplorable, and it is unfortunate, and there are real problems there.

One of the things that bothered me to some extent is the dichotomy. While our Government opposes much of what is there, and the totalitarian system that is being imposed in the government, thousands of American citizens are in Nicaragua supporting this government, contrary again to the stated interests of our Government.

They believe still in the government, even though our Congress for the most part, for 90-plus percent of us at least, has long since recognized that this is a bad government and a bad system. I do not know what you say to those folks. They want to believe so much, but they are there, and they are trying, and our missionaries are trying, and out of this hopefully some good humanitarian effort comes, because no one wants to see people suffer. That is what is happening in Nicaragua today.

People are suffering, but let me say that my concern with Nicaragua, as much as I am concerned about the humanitarian plight of the people and the potential refugee problems for the United States and for the world, my concern is not with the internal affairs of Nicaragua. My concern is what that Communist government, that Communist part of the international Communist league may do in terms of exporting its revolution, its brand of communism internationally to neighboring countries and thereby pose a threat to the national security interests of the United States.

That is what the debate on the floor has often been about. Even though we recognize the Nicaraguans now for what they are, that is, the Sandinista Communist regime, many of my colleagues to this day are calling upon the United States to adopt a policy of containment, to try to go along with some peace plan which has been proposed, and all of us would like to see one where democracy can flourish, and where democracy lays down its arms and does not support neighboring country revolutionaries, and so forth. But those folks who seek containment ignore the reality of the situation. They ignore the fact that Communists who are in league with Castro and the Soviet Union are interested in this case in a regional conquest, a regional domination, if not by armies which I think highly unlikely. I do not think the Nicaraguan Sandinista army is going to march across the Hondu-

ran, Salvadoran, Costa Rican border; but I think more likely by the subversion, by the support of revolutionaries trained in Cuba or in Nicaragua or in Moscow itself, and those revolutionaries then in turn spread that revolution and destabilize the democracies that are beginning to spring forth in Honduras, Costa Rica, El Salvador, and even in Guatemala now, and that in turn, as you know, brings us very close to the border of the United States with Mexico and the Caribbean, the Gulf of Mexico being the only intervening things between us and them.

□ 1500

That concerns me because I do not think the policy of containment can work. It is a policy that failed us in Vietnam. Some of my colleagues are always talking about the Vietnam analogy, worried about the United States getting directly involved in a war we cannot win somewhere down south of here just like Vietnam. It is not what we are doing. So much the parallel does not exist there. It does exist on the question of the idea of a policy of containment. It did not work in Vietnam; it cannot work there.

You are talking about a land mass that is very small; you are talking about the ability to pass across borders and slip there in the night and the inability of anybody to seal those borders. You are talking about the reality of revolution and the reality of a Communist ideology that is intent upon a regionalism. That was brought home very forcefully to me in El Salvador while I was there and had the opportunity to speak with one of those defectors from the FMLN, the Salvadoran Communist resistance that has been going on for so many years and which still to this day is causing the democracy of President Duarte fits and the Salvadoran people an unmerciful beating.

I spoke with him for over an hour and during the conversation that I had with this fellow who was one of the highest ranking political officers in the Communist resistance force inside El Salvador, I learned something I did not know. I did not know that these folks had been, at least I had no direct evidence that had been until I spoke with him, regularly going over to Havana. He said he spent about four visits each year from 1980 until he left until 1985, the FMLN, he spent about four visits a year in Cuba for advice, for training, and that everybody essentially involved in his revolution did.

He also had made visits to Moscow and that indeed there were regular communications and associations between this revolutionary group and the Nicaraguans and the Sandinista Nicaraguans. What he said to me was very simple, he said, "This is a region-

al war. This is a regional cause. The Communists in Cuba and in Moscow view this all as one area. It is not an effort to make or support a Communist government in Nicaragua, it is an intent interest in establishing communism as a government, as a way of life, as a system in the entire region, in all of those countries."

It is not one or the other, it is all of them. The movement is not simply one for a government in Nicaragua. That is one part of it. In other words, the revolutionary forces in El Salvador that are there and have been there for some time are simply an arm, an extension, a part of the Nicaraguan-Sandinista effort which in turn is simply an arm, an extension of the Communist international which Castro and Cuba are a part and which emanates with its source of ideology and support from the Soviet Union.

I think that was so clear to me that I am in great hope that as we continue these debates over the coming weeks that this gentleman and the 3 or 4 others who have come across and broken with the Communist organization in El Salvador will come to Washington, will testify before our committees, will speak with my colleagues and speak to the American people.

Unfortunately, all of them speak Spanish and do not speak English and so there is a barrier sometimes in language, but we owe it to ourselves to listen, to become educated and to take that extra step to understand because that is the heart of this. If, indeed, as I perceive it, and I believe that I am correct and all of our Embassy people in that region and all of our folks involved agree with this, there is a major, international Communist effort at revolution in the region, then the idea of containment in one country is not a practical thing. It is not going to work and we are going to have to look long and hard at our policies if that is where we are headed.

What about the Contras? I spent time listening and learning about them in a way that I had not had the occasion before in Honduras. I am of the impression that the efforts that we are making with the Contras to oppose the Sandinista Government, those efforts are succeeding at the present moment. I am impressed with the fact that so many thousands of them are now inside Nicaragua. I am impressed with the fact that our money support to the Contras has given them the equipment and the ammunition to actually wage a guerrilla revolution inside Nicaragua.

Those people who say to me, "Bill, this is terrible, it is immoral that the United States would support a guerrilla war. That is what the Soviets do. It is terrible, we should not do it." I can only say from my observations that these folks are truly patriotic, trying to regain their country and some free-

dom and democracy whether it is a guerrilla revolution or any other kind of a war, we historically have always supported democracy. We cannot see it succeed with the current government and I have a lot of confidence that if the Contras succeed, we will be able to see a democracy, a true democracy for the first time inside Nicaragua as it is now today in El Salvador and becoming and is in the other countries in the region.

I think that from my observations of the Contras leadership, and I did meet one of them while I was there at a function at the Ambassador's home who impressed me a great deal, a former head of the University of Central America in Managua until 1980. A man who is impeccably credentialed, who is a member of the directorate of the key Contra forces, one of the people who operates this whole thing. Was he a Somoza National Guardsman? Was he somebody associated with the dictators of the past as so often the Contras are accused of being associated with? The answer is unequivocally no. Here is the man who is the head of that university in Managua whose father was one of the major resistance forces to Somoza, who spent years in exile and this man, this young man who was the head of the University of Central America for those 7 years himself was imprisoned with his family because of their opposition to Somoza and he spent time with his folks in exile. An obvious opponent of the Somoza system, a man who stayed after the Sandinista revolution until he could take it no more, who realized that it was just as bad as he put it to me as was the government that preceded it.

It is interesting to see more and more people who have become familiar with the situation there recognizing that totalitarianism of the left is just as bad or worse than totalitarianism of the right. That is what we have in Nicaragua.

The other point that I would like to make as we look at this regional conflict and try to decide whether it is moral or immoral or proper or improper to continue to support the Contras is the fact that if we do not support the Contras and they are not successful inside Nicaragua, and I do not know if they are going to be, I hope they are personally, at least in bringing enough pressure to make the government, and if not, to bring it down because I do not believe containment will work.

If we are not going to support them some day it is my own considered judgment we are going to see, after some other countries fall in Central America, sooner or later U.S. Army, Navy, Air Force and Marine Corps involved in a land battle of some sort. Young American soldiers will ultimately lose their lives. I think that alone is a trag-

edy, not to mention the fact that it is something that would be tragic for the people of that region. It would be tragic for our people, for our children to go down there and have that occur.

For our own national security interests, we are going to have to do something someday, be it a containment policy today, be it a Contra policy today, if neither one of those policies works, someday, in my judgment, that will be the day when containment does not work and we have to send American troops in to somewhere in Central America, not necessarily Nicaragua.

Anyway, that is the perspective that I came back from Honduras with with respect to the Contra question, and I got it reinforced while in El Salvador, because that is the country that is the point line. We tend to not think about it that way. It is Salvador that first will feel and does feel the brunt of the Sandinista expansionist, Communist, international movement. It is the country of El Salvador where the resistance forces still exist today that are being supported by the Sandinista Government. It is the country of El Salvador whose economy is not good and whose government is truly democratic, whose ideals we support and nourish and foster who will fall first if the Sandinistas consolidate and if the Sandinista Communists are allowed to get on with really supporting the expansion of Communist revolutionaries in the region as has been set forth time and again by those who participate and have participated in it.

So my concern in all of this, while great with the humanitarian interests with the refugees and with the Miskito Indians and with the Displacadoes and with the people of the countries is first and foremost with solving the political problem in bringing peace to the region but bringing peace that allows us to have democracies and allow the United States some measure of national security interests so that we do not have terrorism inside our country someday, spawned by the same international Communist forces that are spawning the revolutionary government of Nicaragua and that are spawning the resistance in El Salvador and that, given the opportunity, would crush democracy in the region.

For a moment I want to talk about the economy of El Salvador. The last thing I would like to bring to your attention is the fact that today, President Duarte, despite his good intentions and those of our Government, has a country in great poverty.

□ 1510

There are many people trying to help. We have got a lot of money flowing in there from Government organizations and private voluntary organizations to help with earthquakes, to resettle people on the farms, to get

the Government's support for business and private enterprise going again; but the problem is fairly simple. Beyond a certain point, we cannot succeed just on this basis only. For a system of democracy to flourish, there must be private capital. There must be confidence in the country and investment in the country of foreign capital. There must be development of industries that can produce products that they can trade with. If there is any country in Central or South America that we should be everything we can to support in this regard, it is El Salvador.

For like it is on the front line, it is the first one that will fall again to dictatorship of the Communists if given no support, it is also the very first one down there that is truly ripe for success if given the right nudges and the right support.

It is not enough for our Government to say that we support democracy. We send volunteers down there. We send the ID money down to help in rebuilding their buildings. That is not going to do it. The people do not see that.

The potential for revolutionary foment among hungry people is always going to be present until they are given hope, until they are given jobs and opportunity. You do not give them those jobs. You create them. They are created, as we know in this country best, by a private system of capital and free enterprise that has made our country so great.

We cannot just transfer that down there, but we can do so much more than we have been doing.

One of those things that I think we should do is to change the entire foreign policy perspective of our Government on the way we deal with our imports and our trade and our relationship, especially in the Central American and South American regions. Instead of doing the broad Caribbean basin initiative, which actually is not very effective because we wind up watering it down with various trade restrictions in this group and that group, business people coming forward and getting exceptions to it for sugar and textiles and shoes and whatever, we ought to target individual countries where the impact of removing restrictions and providing incentives for products to be developed in those countries would not be very great in this country. We should at the same time say to our friends and our neighbors, to those other countries, that we would like to do the same for you, but we cannot do it all at one time. We can do it and we can do it for you, too, if you will let us first get El Salvador or the country that is best suited, and I think it is El Salvador, on its feet. Once they have begun to progress and can be weaned from any special treatment we might give, then perhaps we can turn on a single country-by-country basis to somebody else.

We cannot do it all for everybody. It is my considered judgment that if we adopted this kind of a new policy, this kind of a new treatment for Latin America and our neighbors to the south, that we would be far better off and they would be far better off and politically we would have a much more responsible and receptive audience among the business community and among those workers in America who rightfully are concerned in this day and age about losing jobs to those abroad. We do not want to do that; and yet at the same time our national security interest dictates a healthy economy in those countries south of us, because without a healthy economy they are going to present continued turmoil and potential national security threats to us because of the fact that they would be the great hotbeds to be fomented by the Communists in future years.

So what I would suggest and I would urge on my colleagues to consider as we debate the trade bill that is coming up and as we debate the issues of how we handled Central America in the future, I would suggest that we look at the possibility of a limited 5 or 10 years or some time span duration for an absolute, open free trade policy with the country of El Salvador, where we in return for their doing the same for our goods, we totally open the doors, let them produce any product in that country whatsoever that they can produce in that country, be it agricultural, mechanical, electrical, you name it, clothing, whatever it is, let them export that product that they produce into this country and sell it on our markets at our market prices for whatever profit that we would achieve if we were indeed doing it ourselves.

If we do that on a single small tiny country basis like El Salvador, it would have a negligible impact on our economy and on those businesses affected, and yet it would give if restricted to a time limit and a reasonable period of a few years to get things started and stimulate capital formation, in my considered judgment and those with whom I have spoken in El Salvador and the other regional areas I have visited, it would give the opportunity for capital formation and business development and jobs for the people there and an opportunity to sell their products. If we do not do that, we cannot succeed. With anything else, we do.

Whether you believe in the policy of the Contras, whether you believe in the policy of containment, whether you believe in any other policy, I think you have to agree that the bottom line problem with Central America today is the economy.

I happen to have my own views on the others and I have expressed them to you; but the most humanitarian

thing we could do would be to change dramatically our economic policies with regard to Latin America and to target our limited resources, and in a way it is a resource, a free trade resource in this case, to one individual country to get it on its feet to make sure democracy works there as an example to the rest of the world and to say to the Soviet Union and to Castro's Cuba once and for all, not only do we believe in democracy on paper and people walking to the polling places, but we are willing to really back it up and let people in those countries that do indeed become democracies have an economic viability and to share the opportunities of free enterprise and capitalism in which we believe. If we do anything less, if we fail to make this kind of a change in our policy, I do not personally think we will see the problem cease in our neighboring countries and we really will not have the kind of regional Latin American, North American comradeship, in the sense of our future as people living together that we want. Instead we will see chaos and turmoil and national security threats for many years to come.

So with that I am going to conclude my special order time. I have appreciated the opportunity to report on a visit which I thought was exceedingly meaningful. I learned a great deal. I know my colleague, the gentleman from New York [Mr. FRISH], did and I hope that it will be of benefit to my colleagues who did not have the opportunity to participate and to observe.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BUECHNER) to revise and extend their remarks and include extraneous material:)

Mr. DELAY, for 60 minutes, today, April 23, and April 27.

Mr. LEWIS of California, for 60 minutes, on April 23 and April 27.

Mr. DANNEMEYER, for 60 minutes, on April 27 and April 28.

Mr. SWINDALL, for 60 minutes, on April 21, and April 22, and April 23.

Mr. ARMEY, for 60 minutes, on April 22.

Mr. MCCOLLUM, for 60 minutes, on April 21.

(The following Member (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. MONTGOMERY, for 5 minutes, today and April 22.

Mr. PEASE, for 5 minutes, today.

Mr. MARKEY, for 60 minutes, today.

Mr. GONZALEZ, for 60 minutes, on April 22 and April 23.

Mr. CONYERS, for 30 minutes, today and April 22.

Mr. FAUNTROY, for 60 minutes, on April 23.

(The following Member (at the request of Mr. McCOLLUM) to revise and extend their remarks and include extraneous material:)

Mr. PENNY, for 60 minutes, on April 22.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BERMAN, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the Record and is estimated by the Public Printer to cost \$2,112.

(The following Members (at the request of Mr. BUECHNER) and to include extraneous matter:)

Mr. GILMAN in five instances.

Mr. HUNTER in two instances.

Mr. DENNY SMITH in two instances.

Mr. DORNAN of California.

Mr. WORTLEY.

Mr. LAGOMARSINO in five instances.

Mr. KEMP in two instances.

Mr. PURSELL.

Mr. RITTER.

Mr. COBLE.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. DORGAN of North Dakota in two instances.

Mr. SWIFT.

Mr. GUARINI.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. MAZZOLI.

Mr. GAYDOS.

Mr. ATKINS.

Mr. JACOBS.

Mr. ACKERMAN in two instances.

Mr. YATRON.

Mr. WAXMAN.

Mr. RANGEL.

Mr. FUSTER.

Mr. LEVINE of California.

Mr. LEVIN of Michigan.

Mr. DELLUMS.

Mr. BORSKI.

Mr. DYSON.

Mr. CLAY in two instances.

Mr. HOWARD.

Mr. KANJORSKI.

Mr. FRANK.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 85. An act to amend the Powerplant and Industrial Fuel Use Act of 1978 to repeal the end use constraints on natural gas, and to amend the Natural Gas Policy Act of 1978 to repeal the incremental pricing requirements; to the Committee on Energy and Commerce.

S. 659. An act to establish agricultural aid and trade missions to assist foreign countries to participate in U.S. agricultural aid and trade programs, and for other purposes; to the Committees on Agriculture and Foreign Affairs.

S. 677. An act to amend the Federal Trade Commission Act to provide authorization of appropriations, and for other purposes; to the Committees on Energy and Commerce and Rules.

S. 903. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker pro tempore.

H.R. Res. 1123. An act to amend the Food Security Act of 1985 to extend the date for submitting the report required by the National Commission on Dairy Policy.

H.J. Res. 119. Joint resolution designating the week of April 19, 1987, through April 25, 1987, as "National Minority Cancer Awareness Week."

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On April 10, 1987:

H.R. 1783. An act to make technical corrections to certain defense-related laws.

On April 15, 1987:

H.R. 1123. An act to amend the Food Security Act of 1985 to extend the date for submitting the report required by the National Commission on Dairy Policy, and

H.J. Res. 119. Joint resolution designating the week of April 19, 1987, through April 25, 1987, as "National Minority Cancer Awareness Week."

ADJOURNMENT

Mr. McCOLLUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 22, 1987, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1143. A letter from the Comptroller General of the United States, transmitting a review of the deferral and revised deferrals submitted by the President on March 4, 1987, pursuant to 2 U.S.C. 685 (H. Doc. No. 100-64); to the Committee on Appropriations and ordered to be printed.

1144. A letter from the Comptroller General of the United States, transmitting a report on the status of budget authority that was proposed for rescission by the President in his third special message for fiscal year 1987, January 5, 1987, pursuant to 2 U.S.C. 685 (H. Doc. No. 100-62); to the Committee on Appropriations and ordered to be printed.

1145. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of April 1, 1987, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 100-63); to the Committee on Appropriations and ordered to be printed.

1146. A letter from the Under Secretary of Defense, transmitting the Department's annual report on Chemical Warfare and Biological Defense Research Program obligations for the period October 1, 1985 through September 30, 1986, pursuant to 50 U.S.C. 1511; to the Committee on Armed Services.

1147. A letter from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to repeal sections 3502 and 8502 of title 10, United States Code, relating to physical examination for each member of the National Guard called into and mustered out of Federal service; to the Committee on Armed Services.

1148. A letter from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to amend title 32, United States Code, to extend the period of time during which all elements of a National Guard unit must complete a training assembly; to the Committee on Armed Services.

1149. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend titles 10 and 37, United States Code, and other authorities to extend certain expiring laws; to the Committee on Armed Services.

1150. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting the real and personal property report of the Department as of September 30, 1986, pursuant to the National Security Act of 1947, section 410; to the Committee on Armed Services.

1151. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to provide for United States approval and acceptance of a proposed amendment to the articles of agreement of the International Bank for Reconstruction and Development; to the Committee on Banking, Finance and Urban Affairs.

1152. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a statement with respect to a transaction involving United States export to the Republic of Indonesia, pursuant to 12 U.S.C. 635(b)(3)(i);

to the Committee on Banking, Finance and Urban Affairs.

1153. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report to authorize a concessional financing facility in the amount of \$100,000,000 to the Kingdom of Thailand, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

1154. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 7-16, "D.C. Government Comprehensive Merit Personnel Act of 1978 Collective Bargaining Amendment Temporary Amendment Act of 1987", pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1155. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 7-15, "Closing of Public Alleys in Square 368, S.D. 86-248, Act of 1987", and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1156. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 7-17, "D.C. Alcoholic Beverage Control Act Temporary Amendment Act of 1987", pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1157. A letter from the Auditor, District of Columbia, transmitting a report entitled, "Annual Audit of D.C. Lottery and Charitable Games Control Board for Fiscal Years 1986 and 1985", pursuant to D.C. section 47-117(d); to the Committee on the District of Columbia.

1158. A letter from the Auditor, District of Columbia, transmitting a report entitled, "Annual Audit of the Washington Convention Center for Fiscal Years 1986 and 1985", pursuant to D.C. Code section 47-117(d); to the Committee on the District of Columbia.

1159. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the jury system plan of the Superior Court of the District of Columbia; to the Committee on the District of Columbia.

1160. A letter from the Secretary of Education, transmitting notice of final funding priority for the special recreation programs for individuals with handicaps, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1161. A letter from the Secretary of Education, transmitting a copy of final regulations for the Law School Clinical Experience Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1162. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to extend authorizations of appropriations for programs under the Child Abuse Prevention and Treatment Act and the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and for other purposes; to the Committee on Education and Labor.

1163. A letter from the Director, Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting a copy of the fiscal year 1986 annual report on the operations of the Office of General Counsel of the Commission; to the Committee on Education and Labor.

1164. A letter from the Secretary of Health and Human Services, transmitting a status report of activities to conduct research and prepare analyses concerning thyroid doses of Iodine-131, notification that a

working group has been established to pursue the research and analyses, which it is estimated will need approximately 6 years to complete, pursuant to 42 U.S.C. 241 nt.; to the Committee on Energy and Commerce.

1165. A letter from the Secretary of Health and Human Services, transmitting a report on the administration of the Public Health Service, pursuant to 42 U.S.C. 300aa-10; to the Committee on Energy and Commerce.

1166. A letter from the Secretary of Health and Human Services, transmitting the 1985 annual report on the National Health Service Corps [NHSC] and NHSC Scholarship Program [NHSCSP], pursuant to 42 U.S.C. 254b(g); to the Committee on Energy and Commerce.

1167. A letter from the Secretary of Health and Human Services, transmitting the Department's sixth special report to the Congress on alcohol and health, pursuant to 42 U.S.C. 290aa-4 (PHSA, sec. 505(a) (97 Stat. 178)); to the Committee on Energy and Commerce.

1168. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a listing of the defense articles and services provided to the Philippines by the Department of Defense, as of April 8, 1987, under the authority of Presidential Determination 86-13, dated September 16, 1986, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on Foreign Affairs.

1169. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed letter(s) of offer to Saudi Arabia for defense articles and services estimated to cost \$320 million (Transmittal No. 87-19), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1170. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, Department of State, transmitting notice of a proposed License for the export of major defense equipment sold commercially to the Government of the Republic of Korea, pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

1171. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, Department of State, transmitting notice of a proposed license for the export of major defense equipment sold commercially to the Government of Sweden, pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

1172. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, Department of State, transmitting notice of a proposed license for the export of major defense equipment sold commercially to the Government of South Korea, pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

1173. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of the price and availability report for the quarter ending March 31, 1987, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

1174. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Robert M. Smalley, of the District of Columbia, Ambassador Extraordinary and Plenipotentiary-designate to the Kingdom of Lesotho; Thomas C. Ferguson, of Florida, Ambassador Extraordinary and Plenipotentiary-designate

to Brunei Darussalam, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1175. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1176. A letter from the Administrator, Agency for International Development, transmitting a draft of proposed legislation to amend section 108 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1177. A letter from the Acting General Counsel and Congressional Liaison, United States Information Agency, transmitting the 1987 independent evaluation of the Radio Marti programming of the Voice of America, pursuant to Public Law 98-111, section 9; to the Committee on Foreign Affairs.

1178. A letter from the Director, National Park Service, Department of the Interior, transmitting the 1986 report covering the disposal of surplus Federal real property under the public benefit discount program for parks and recreation purposes, pursuant to 40 U.S.C. 484(o); to the Committee on Government Operations.

1179. A letter from the Principal Deputy Assistant Secretary (Policy, Budget and Administration), Department of the Interior, transmitting a report of the Department's actions taken to increase competition for contracts during fiscal year 1986, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

1180. A letter from the Deputy Assistant Secretary for National Resources and Environment, Department of Agriculture, transmitting the Department's notice of a proposal for one new Federal records systems, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1181. A letter from the Executive Director, Federal Retirement Thrift Investment Board, transmitting the Board's report of new systems of records, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1182. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's annual report of its compliance with the Government in the Sunshine Act during Calendar year 1986, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1183. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, and 31 U.S.C. 3726 relative to the general supply fund and for other purposes; to the Committee on Government Operations.

1184. A letter from the Secretary, Postal Rate Commission, transmitting a report on the Commission's activities under the Government in the Sunshine Act for calendar year 1986, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1185. A letter from the Secretary of Transportation, transmitting a report of the Department's actions taken to increase competition for contracts during fiscal year 1986, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

1186. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's annual report for the

calendar year ending December 31, 1986 on its activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1187. A letter from the Acting Director, Selective Service System, transmitting a copy of the agency's report of its activities under the Freedom of Information Act during calendar year 1986, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1188. A letter from the Secretary of Energy, transmitting the 1986 annual report of the Bonneville Power Administration, pursuant to 16 U.S.C. 839(h)(12)(B); to the Committee on Interior and Insular Affairs.

1189. A letter from the Assistant Secretary (Water and Science), Department of the Interior, transmitting notification of a proposed contract with the Belle Fourche Irrigation District, Pick-Sloan Missouri Basin Program, SD, pursuant to 43 U.S.C. 505; to the Committee on Interior and Insular Affairs.

1190. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notice of proposed refunds of offshore lease revenues in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1191. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notice of proposed refunds of offshore lease revenues in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1192. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for an equitable distribution of the costs associated with the Oregon and California grant lands; to the Committee on Interior and Insular Affairs.

1193. A letter from the Secretary of the Interior, transmitting the Department's 1986 annual report of the National Park Foundation, pursuant to 16 U.S.C. 19n, 19dd(f); to the Committee on Interior and Insular Affairs.

1194. A letter from the Secretary of Health and Human Services, transmitting the annual report on the Refugee Resettlement Program, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

1195. A letter from the President, American Academy and Institute of Arts and Letters, transmitting the Academy-Institute's report of activities during the year ending December 31, 1986, pursuant to section 4 of its charter (39 Stat. 51); to the Committee on the Judiciary.

1196. A letter from the Controller, Boys' Clubs of America, transmitting a copy of their audited financial report for the year ending December 31, 1986, pursuant to 36 U.S.C. 1101(16), 1103; to the Committee on the Judiciary.

1197. A letter from the Chairman, National Drug Enforcement Policy Board, transmitting a report on the National and International Drug Law Enforcement Strategy, pursuant to 21 U.S.C. 1204; to the Committee on the Judiciary.

1198. A letter from the American Council of Learned Societies, transmitting the council's annual report for the year 1985-86, pursuant to Public Law 88-504, section 3 (36 U.S.C. 1103); to the Committee on the Judiciary.

1199. A letter from the Chairman, U.S. Sentencing Commission, transmitting a copy of a report which sets forth sentencing

guidelines and policy statements for the Federal courts, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

1200. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of the department in which the Coast Guard is operating to establish fees for certain Coast Guard services and for other purposes; to the Committee on Merchant Marine and Fisheries.

1201. A letter from the Special Counsel, U.S. Merit Systems Protection Board, transmitting a report on the Administrator of Veterans' Affairs investigation into allegations of violations of law and regulations, abuse of authority and waste of funds by the mismanagement of research funds at the Veterans' Administration Medical Center, Syracuse, NY, pursuant to 5 U.S.C. 1206(b)(5)(A); to the Committee on Post Office and Civil Service.

1202. A letter from the Assistant Secretary of the Army (Civil Works), transmitting a report dated February 26, 1987, from the Chief of Engineers, Department of the Army, on South Yadkin River, NC; to the Committee on Public Works and Transportation.

1203. A letter from the Executive Secretary, Department of Defense, transmitting the report on the Department's procurement from small and other business firms for October 1986 through January 1987, pursuant to 15 U.S.C. 639(d); to the Committee on Small Business.

1204. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to provide for a revision of the receipt-sharing for moneys received from the National Forest System and provided to the States and counties, and for other purposes; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

1205. A letter from Edward L. King, Member, Commission on Central American Negotiations, transmitting a separate report on Central America, submitted by the duly appointed Democratic Commission members, as partial compliance with title II, section 213(e)(1) of the Military Construction Act, 1987, as contained in Public Law 99-500; jointly, to the Committees on Appropriations and Foreign Affairs.

1206. A letter from the Assistant Secretary (Comptroller), Department of Defense, transmitting a notification of a transfer of funds in connection with a demonstration project, pursuant to 10 U.S.C. 1092; jointly, to the Committees on Appropriations and Armed Services.

1207. A letter from the Director, National Bureau of Standards, transmitting a report on the structural integrity of the new office building at the U.S. Embassy site in Moscow, pursuant to Public Law 99-591; jointly, to the Committees on Appropriations and Foreign Affairs.

1208. A letter from the Administrator, Agency for International Development, transmitting the Agency's report on the origin, contents, destination and disposition of humanitarian goods and supplies transported by the Department of Defense, pursuant to Public Law 99-145, section 306(a) (99 Stat. 617); jointly, to the Committees on Armed Services and Foreign Affairs.

1209. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 709 of title 32, United States Code, to eliminate the requirement that notice of termination be given 30 days in advance to

National Guard technicians who serve under temporary appointments, are serving in their trial/probationary period, or who voluntarily cease to be National Guard members; jointly, to the Committees on Armed Services and Post Office and Civil Service.

1210. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 709 of title 32, United States Code, to permit the Secretary of Defense to approve certain regulations governing excepted service technicians of the National Guard, and for other purposes; jointly, to the Committees on Armed Services and Post Office and Civil Service.

1211. A letter from the Secretary, Department of Navy, transmitting a draft of proposed legislation to amend chapter 4 of title 10, United States Code, to require the Secretary of Defense to withhold from public disclosure information relating to physical security measures for special nuclear material; jointly, to the Committees on Armed Services and Government Operations.

1212. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend title V of the Housing Act of 1949 to restore the authority of the Secretary of Agriculture to approve certain housing debt settlement claims, to revise the authority of the Secretary of Agriculture to sell housing loans to the public without recourse, and to repeal the authority of the Secretary of Agriculture to make rural housing loans and grants; jointly, to the Committees on Banking, Finance and Urban Affairs and Agriculture.

1213. A letter from the Attorney General of the United States, transmitting the report required of the Department to study the need for legislation, regulation, or alternative methods to control the diversion of legitimate precursor and essential chemicals to the illegal production of drugs of abuse, together with a draft of proposed legislation recommended therein, to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to suppress the diversion and trafficking of precursor chemicals and essential chemicals utilized in the illicit manufacture of controlled substances, pursuant to Public Law 99-570, section 1901; jointly, to the Committees on Energy and Commerce and the Judiciary.

1214. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a preliminary report on the Agency's implementation plan for indoor air quality and radon gas research, pursuant to section 403(d), Superfund Amendments and Reauthorization Act of 1986; jointly, to the Committees on Energy and Commerce and Science, Space and Technology.

1215. A letter from the Secretary of Commerce, transmitting a report on imports during 1986 of strategic and critical materials from the Council for Mutual Economic Assistance, pursuant to 22 U.S.C. 5092(b)(2); jointly, to the Committees on Foreign Affairs and Ways and Means.

1216. A letter from the Chairman, Board of Directors, Gorgas Memorial Institute of Tropical and Preventive Medicine Inc., transmitting the 58th annual report of the work and operations of the Gorgas Memorial Laboratory for the fiscal year ending on September 30, 1986, pursuant to 22 U.S.C. 278a; jointly, to the Committees on Foreign Affairs and Energy and Commerce.

1217. A letter from the Secretary of State, transmitting the agency's annual report for fiscal year 1986 on equal employment op-

portunity and recruitment in the Foreign Service, pursuant to 22 U.S.C. 3905(d); jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

1218. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the agency's semiannual report on the amount and extension of credits under the Trade Credit Insurance Program, pursuant to 22 U.S.C. 2184(g); jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

1219. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

1220. A letter from the Secretary of the Interior, transmitting a copy of the annual report for fiscal year 1986 covering the Outer Continental Shelf [OCS] Oil and Gas Leasing and Production Program administered by the Department through the Minerals Management Service, pursuant to Public Law 95-372; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

1221. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend sections 5315 and 5316 of title 5, United States Code, to raise the position of chief counsel for the Internal Revenue Service, Department of the Treasury, from level V to level IV of the executive schedule; jointly, to the Committees on Ways and Means and Post Office and Civil Service.

1222. A letter from the Secretary of Energy, transmitting a copy of the summary report of the responses of the Department's Clean Coal Technology Program announcement issued in November 1986, which invited statements of interest in, and informational proposals for, projects employing emerging clean coal technologies that are capable of retrofitting, repowering, or modernizing existing facilities, pursuant to Public Law 99-500 and Public Law 99-591, section 101(h); jointly, to the Committees on Appropriations, Energy and Commerce, and Science, Space and Technology.

1223. A letter from the Under Secretary (Acquisition), Department of Defense, transmitting a report on the efforts by the Department of Defense to increase defense contract awards to Indian businesses during fiscal year 1986, pursuant to Public Law 99-661, 1962; jointly, to the Committees on Armed Services, Small Business, and Interior and Insular Affairs.

1224. A letter from the Secretary of Health and Human Services, transmitting the annual report on the implementation of the Indian Health Care Improvement Act during fiscal year 1985, pursuant to 25 U.S.C. 1671; jointly, to the Committees on Interior and Insular Affairs, Energy and Commerce, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on Apr. 9, 1987, the following report was filed Apr. 10, 1987]

Mr. ST GERMAIN: Committee on Banking, Finance and Urban Affairs. H.R. 28. A bill to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account; with an amendment (Rept. 100-52). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on Apr. 9, 1987, the following report was filed on Apr. 14, 1987]

Mr. ASPIN: Committee on Armed Services. House Resolution 132. Resolution directing the Secretary of Defense to provide to the House of Representatives documents prepared or certain report requirements in the 1986 and 1987 Department of Defense Authorization Acts relating to the Strategic Defense Initiative Program and the antiballistic missile treaty; with amendment (Rept. 100-53). Referred to the House Calendar.

[Pursuant to the order of the House on Apr. 9, 1987 the following reports were filed on Apr. 15, 1987]

Mr. BROOKS: Committee on Government Operations. Report on preventing the granting of special issuance medical certificates to medically unfit pilots: FAA oversight (Rept. 100-54). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on improving the safety of air traffic control at Chicago's O'Hare International Airport: FAA oversight (Rept. 100-55). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on investigation of the Office for Civil Rights in the Department of Health and Human Services (Rept. 100-56). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on mismanagement of the Office of Human Development Services: undermining programs for children, the disabled, and the elderly (Rept. 100-57). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPIN: Committee on Armed Services. H.R. 1748. A bill to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes; with amendments (Rept. 100-58). Referred to the Committee of the Whole House on the State of the Union.

[Submitted Apr. 21, 1987]

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1963. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to permit States to set aside in a special trust fund up to 10 per centum of the annual State funds from the Abandoned Mine Land Reclamation Fund for expenditure in the future for purposes of abandoned mine reclamation, and for other purposes. (Rept. 100-59). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SWIFT:

H.R. 2100. A bill to designate the border station at 9931 Guide Meridian, Lynden, WA, as the "Kenneth G. Ward Border Station"; to the Committee on Public Works and Transportation.

By Mr. FAUNTROY:

H.R. 2101. A bill to amend title 5, United States Code, to provide that a Federal employee who participates in the Government's health benefits program for a continuous period of 25 years or longer shall be eligible to continue enrollment as an annuitant, without regard to an interruption of less than 1 year during the 5-year period before separation; to the Committee on Post Office and Civil Service.

By Mr. JACOBS:

H.R. 2102. A bill to amend title 18, United States Code, to provide penalties for the manufacture, sale, and use of radar detectors; to the Committee on the Judiciary.

By Mr. KONNYU (for himself and Mr. BROWN of Colorado):

H.R. 2103. A bill to amend part A of title IV of the Social Security Act to ensure that AFDC applicants and recipients will have available to them and their families a full range of employment, training, and supportive services, making it possible for such families to leave the welfare rolls and thereby producing a significant saving to taxpayers; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. OBERSTAR (for himself, Mrs. COLLINS, Mr. HANSEN, Mrs. ROUKEMA, Mr. EDWARDS of California, and Mr. RIDGE):

H.R. 2104. A bill to amend the Internal Revenue Code of 1986 to increase to 32 cents per pack the Federal excise tax on cigarettes and to provide that the revenues from such tax shall be divided among the general fund, the Federal Hospital Insurance Trust Fund under the Social Security Act, and research on tobacco-related diseases; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SAWYER:

H.R. 2105. A bill to strengthen the program for grants to States for dependent care programs, and for other purposes; to the Committee on Education and Labor.

By Mr. UDALL (by request):

H.R. 2106. A bill to amend the Atomic Energy Act of 1954, as amended, to improve the nuclear powerplant siting and licensing process, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

By Mr. WORTLEY (for himself, Mr. NIELSON of Utah, Mr. DYSON, Mr. TOWNS, and Mr. RANGEL):

H.R. 2107. A bill to amend title II of the Social Security Act, effective after fiscal year 1991, to protect the future benefit levels of individuals becoming eligible for benefits in or after 1979 by eliminating the disparity (resulting from changes made in 1977 in the benefit computation formula) between those levels and the benefit levels of persons who became eligible for benefits before 1979; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself and Mrs. JOHNSON of Connecticut):

H.J. Res. 247. Joint resolution designating April 1987 as "National Child Abuse Prevention Month"; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

37. By the SPEAKER: Memorial of the Legislative Assembly of the State of North Dakota, relative to the establishment of the U.S. Monetary Commission; to the Committee on Banking, Finance and Urban Affairs.

38. Also, memorial of the Legislature of the State of Maine, relative to the speed limit on rural interstate highways; to the Committee on Public Works and Transportation.

39. Also, memorial of the General Assembly of the State of Iowa, relative to the Federal-Aid Highway Program; to the Committee on Public Works and Transportation.

40. Also, memorial of the Legislature of the State of Nevada, relative to the construction of the new atomic particle accelerator called the superconducting super collider; to the Committee on Science, Space, and Technology.

41. Also, memorial of the Legislature of the State of Mississippi, relative to the Price-Anderson Act; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows.

By Mrs. BOXER:

H.R. 2108. A bill for the relief of Chun Wei Wong, Bie Ya Ma Wong, Wing Sing Wong, Wing Yum Wong, and Man Yee Wong; to the Committee on the Judiciary.

By Mr. EDWARDS of Oklahoma:

H.R. 2109. A bill for the relief of Rosa Pratts; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 80: Mr. RUSSO, Mr. ST GERMAIN, Mr. GILMAN, Mr. DE LUGO, Mr. ACKERMAN, Mr. SCHEUER, Mr. FAUNTROY, Mr. FORD of Tennessee, Mr. DAVIS of Illinois, Mr. WOLF, Mr. MINETA, Mr. FLIPPO, Mrs. BOXER, and Mr. CONYERS.

H.R. 84: Mr. FEIGHAN, Mr. HOCHBRUECKNER, and Mr. BORSKI.

H.R. 97: Mr. STUMP.

H.R. 98: Mr. STUMP.

H.R. 107: Mr. STUMP.

H.R. 118: Mr. SKEEN.

H.R. 345: Mr. DANIEL.

H.R. 486: Mr. MILLER of Washington and Mr. VANDER JAGT.

H.R. 543: Mr. LEWIS of Georgia, Mr. TAUZIN, Mr. TRAXLER, Mr. MACKAY, Mr. MARKEY, Mr. CLINGER, Mr. SIKORSKI, and Mr. PEPPER.

H.R. 628: Mr. STARK.

H.R. 637: Mr. TORRES, Mr. PORTER, Mr. BONKER, and Mr. SMITH of Florida.

H.R. 743: Mr. FORD of Tennessee, Mr. LAGOMARSINO, and Mr. CHANDLER.

H.R. 746: Mr. STANGELAND.

H.R. 758: Mr. SCHULZE, Mr. FORD of Tennessee, Mrs. BYRON, Mr. COLEMAN of Missouri, Mr. BUECHNER, Mr. HOCHBRUECKNER, Mr. BIAGGI, Mr. MFUME, and Mr. BONIOR of Michigan.

H.R. 762: Mr. BERMAN, Mr. DYMALLY, Mr. BEILSON, and Mr. SOLARZ.

H.R. 785: Mr. GARICA, Mr. RANGEL, Mr. ESPY, Mr. SOLARZ, Mr. HAYES of Illinois, and Mr. HOWARD.

H.R. 805: Mr. STENHOLM.

H.R. 807: Mr. LEVINE of California.

H.R. 820: Mr. EDWARDS of Oklahoma.

H.R. 954: Mr. RANGEL.

H.R. 959: Mr. SAXTON, Mr. DORNAN of California, Mr. SOLARZ, Mr. ROBINSON, Mr. SCHULZE, and Mr. PORTER.

H.R. 976: Mr. GEJDENSON.

H.R. 1049: Mr. LEWIS of Georgia and Mr. CONYERS.

H.R. 1120: Mr. MFUME and Mr. CLAY.

H.R. 1143: Mr. DIOGUARDI, Mr. SOLARZ, Mr. SCHEUER, Mr. GILMAN, and Mr. FISH.

H.R. 1158: Mr. BOEHLERT and Mr. ROE.

H.R. 1163: Mr. SAXTON and Mr. EDWARDS of Oklahoma.

H.R. 1181: Mr. BUSTAMANTE and Mr. MFUME.

H.R. 1202: Mr. TOWNS and Mr. WORTLEY.

H.R. 1234: Mr. HAWKINS.

H.R. 1242: Mr. DAUBS.

H.R. 1249: Mr. GILMAN.

H.R. 1293: Mr. SOLARZ, Mr. ECKART, and Mr. FISH.

H.R. 1339: Mrs. BENTLEY.

H.R. 1342: Mr. RANGEL.

H.R. 1412: Mr. RAHALL and Mr. DEFazio.

H.R. 1441: Mr. UPTON, Mr. THOMAS of California, Mrs. SMITH of Nebraska, Mr. BILIRAKIS, Mr. ARMEY, Mr. ROE, Mr. NEAL, Mr. OBERSTAR, Mr. MINETA, and Mr. WOLPE.

H.R. 1514: Mr. Fazio and Mr. HERGER.

H.R. 1515: Mr. FUSTER.

H.R. 1546: Mr. SCHEUER.

H.R. 1560: Mr. Fazio, Mr. BUECHNER, Mr. PRICE of Illinois, Mr. NEAL, Mr. BARNARD, and Mr. LANCASTER.

H.R. 1582: Mrs. COLLINS, Mr. OWENS of New York, Mr. DYMALLY, Mr. HAYES of Illinois, Mr. DELLUMS, Mr. KASTENMEIER, Mr. DIXON, Mr. DOWDY of Mississippi, Mr. ROYBAL, Mr. ESPY, Mr. STOKES, Mr. TOWNS, Mr. FAUNTROY, Mr. RANGEL, Mr. FLAKE, Mr. LEWIS of Georgia, Mr. SAVAGE, Mr. HAWKINS, Mr. LELAND, and Mr. MFUME.

H.R. 1601: Mr. ECKART.

H.R. 1621: Mr. LEWIS of Georgia, Mr. SOLARZ, Mr. SMITH of Florida, and Mr. GARCIA.

H.R. 1658: Mr. BROOKS, Mr. SWEENEY, Mr. HALL of Texas, Mr. STENHOLM, Mr. BUSTAMANTE, Mr. PICKLE, and Mr. ANDREWS.

H.R. 1732: Mr. SHAW.

H.R. 1738: Mrs. BENTLEY, Mr. BIAGGI, Mr. HOWARD, Mr. ROE, and Mr. SMITH of Florida.

H.R. 1808: Mr. YATRON, Mr. COLEMAN of Texas, and Mr. STUDDS.

H.R. 1829: Mr. VOLKMER, Mr. CLINGER, Mr. BEVILL, and Mr. TOWNS.

H.R. 1830: Mr. VOLKMER, Mr. TOWNS, Mr. CLINGER, and Mr. BEVILL.

H.R. 1873: Mr. DE LA GARZA, Mr. COLEMAN of Texas, and Mr. LEWIS of Georgia.

H.R. 1874: Mr. DE LA GARZA, Mr. COLEMAN of Texas, and Mr. LEWIS of Georgia.

H.R. 1878: Mr. LAGOMARSINO.

H.R. 1914: Mr. WALGREN, Mr. DAVIS of Illinois, Mr. YATRON, Ms. KAPTUR, Mr. RAHALL, and Mr. HILER.

H.R. 1948: Mr. RANGEL.

H.R. 1953: Mr. BALLENGER, Mr. MILLER of Washington, Mr. WORTLEY, Mr. LAGOMARSINO, Mr. GARY of Illinois, Mr. OWENS of New York, Mr. ROBINSON, Mr. DEFazio, Mr. DWYER of New Jersey, Mr. DONALD E. LUKENS, Mr. BOULTER, Mr. DORNAN of California, Mr. LUJAN, Mr. WELDON, Mr. DUNCAN, Mr. BUNNING, Mr. HOLLOWAY, Mr. HERGER, Mr. HUNTER, Mr. DAVIS of Illinois, Mrs. MORELLA, Mr. GALLEGLY, Mr. LOWERY of California, Mrs. SAIKI, Mrs. MARTIN of Illinois, Mr. RHODES, Mr. LEWIS of California, Mr. PACKARD, Mr. ROWLAND of Connecticut, Mr. GUNDERSON, Ms. SNOWE, Mr. SUNDQUIST, Mr. DANNEMEYER, Mr. GREEN, Mr. DELAY, Mr. WALKER, Mr. INHOPE, Mr. HASTERT, Mr. THOMAS of California, Mr. ESPY, Mr. Fazio, Mr. LEWIS of Georgia, Mr. EDWARDS of Oklahoma, Mr. MINETA, Mr. FLAKE, Mr. KENNEDY, and Mr. SWINDALL.

H.R. 1955: Mr. BOEHLERT, Mr. BADHAM, Mrs. ROUKEMA, and Mr. SUNDQUIST.

H.R. 1958: Mr. BIAGGI, Mr. RICHARDSON, Mr. LEWIS of Georgia, Mr. FAWELL, Mr. PENNY, Mr. OWENS of New York, Mr. PERKINS, and Mr. LANCASTER.

H.R. 2016: Mr. TOWNS.

H.J. Res. 13: Mr. ARMEY.

H.J. Res. 32: Mr. COATS, Mr. LAFALCE, Mr. PRENZEL, Mr. ROBERTS, Mr. MONTGOMERY, Mr. SABO, Mr. SCHEUER, Mr. SCHUMER, Mr. PICKETT, Mr. PANETTA, Mr. MCCOLLUM, Mr. PICKLE, Mr. SOLARZ, Mr. SPENCE, Mr. TALLON, Mr. STOKES, Mr. TAUKE, Mr. THOMAS of Georgia, Mr. COLEMAN of Missouri, Mr. TRAFICANT, Mr. TORRICELLI, Mr. WATKINS, Mr. WHITTEN, Mr. WILSON, Mr. RAY, Mr. RICHARDSON, Mr. WYDEN, Mr. OLIN, Mr. FASCELL, Mr. YOUNG of Alaska, Mr. ANDERSON, Mr. ANTHONY, Mr. BOLAND, Mr. BROOMFIELD, Mr. ROWLAND of Georgia, Mr. AKAKA, Mr. YATRON, Mr. SUNIA, Mr. HAMMER-SCHMIDT, Mr. DAUB, Mr. DIOGUARDI, Mr. EMERSON, Mr. KILDEE, Mr. RODINO, Mr. HOYER, Mr. BUSTAMANTE, Mr. STANGELAND, Mr. HALL of Texas, Mr. WEBER, Mr. MILLER of California, Mr. GOODLING, Mr. SWINDALL, Mr. VALENTINE, Mrs. PATTERSON, Mr. VISCLOSKEY, Mr. ROTH, Mr. TAUZIN, Mr. DEFazio, Mr. COYNE, Mrs. KENNELLY, Mr. KEMP, Mr. SWEENEY, Mr. JONES of Tennessee, Ms. KAPTUR, Mr. MCCLOSKEY, Mr. MOODY, Mr. MORRISON of Washington, Mr. MOORHEAD, Mr. KASICH, Mr. WHEAT, Mr. MARTIN of New York, Mr. ASPIN, Mr. NICHOLS, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. OBERSTAR, Mr. CHANDLER, Mr. DUNCAN, Mr. FIELDS, Mr. HYDE, Mr. MICHEL, Mr. FAWELL, Mr. GUNDERSON, Mr. CARR, Mr. MOLINARI, Mr. FOGLIETTA, Mr. GRANT, Mr. MAVROULES, Mr. STAGGERS, Mr. KENNEDY, Mr. WOLPE, Mr. PASHAYAN, Mr. BUNNING, Mr. SMITH of New Jersey, Mr. MURTHA, Mr. DAVIS of Michigan, Mrs. MARTIN of Illinois, Mr. SPRATT, Mr. ST GERMAIN, Mr. WYLLIE, and Mr. MAZZOLI.

H.J. Res. 67: Mr. GEJDENSON, Mr. TAUZIN, Mr. COUGHLIN, Mr. TRAXLER, Mr. ANNUNZIO, Mr. ANDREWS, Mr. BERMAN, Mr. GRAY of Pennsylvania, Mr. VENTO, Mr. MOORHEAD, Mr. HUTTO, Mr. GRANDY, Mr. TOWNS, Mr. RAHALL, Mr. MCCLOSKEY, Mr. HUNTER, Mr. THOMAS of Georgia, Mr. GALLO, Mr. BOLAND, and Mr. OWENS of Utah.

H.J. Res. 90: Mr. BARNARD, Mr. HASTERT, Mr. RODINO, Mr. LIVINGSTON, Mr. MACKAY, Mr. CALLAHAN, Mr. TAYLOR, Mr. GEJDENSON, Mr. BALLENGER, and Mr. ROWLAND of Connecticut.

H.J. Res. 106: Mr. LOWRY of Washington, Ms. SLAUGHTER of New York, Mr. HARRIS, and Mr. SUNDQUIST.

H.J. Res. 110: Mr. BROWN of California.

H.J. Res. 132: Mr. YATRON, Mrs. MEYERS of Kansas, Mr. WILLIAMS, Mr. OBERSTAR, Mr. LENT, Mr. SMITH of Iowa, and Mr. GALLEGLY.
H.J. Res. 152: Mr. CALLAHAN, Mr. DIXON, and Mr. SPENCE.

H.J. Res. 158: Mr. BILBRAY, Mr. BENNETT, Mr. CROCKETT, Mr. DURBIN, Mr. GREEN, Mr. HAMMERSCHMIDT, Mr. JENKINS, Mr. LOWERY of California, Mr. QUILLAN, Mr. SCHAEFER, Ms. SNOWE, and Mr. WEBER.

H.J. Res. 176: Mr. JACOBS, Mr. GUNDERSON, Ms. KAPTUR, Mr. KOLTER, Mr. MFUME, Mr. FOGLETTA, Mr. DYMALLY, Mr. CLAY, Mr. TRAXLER, Mr. McCLOSKEY, Mr. CARPER, Mr. SYNAR, Mr. PORTER, Mr. RAHALL, Mr. SMITH of Iowa, Mr. RODINO, Mr. TORRES, Mr. NOWAK, Mrs. BOXER, Mr. LEACH of Iowa, Ms. SLAUGHTER of New York, Mr. PEASE, Mr. SYNAR, Mr. TRAFICANT, Mrs. SCHROEDER, Mr. HOWARD, Mr. BOUCHER, Mr. BONIOR of Michigan, and Mr. EVANS.

H.J. Res. 189: Mr. ANTHONY, Mr. AU COIN, Mr. BOLAND, Mr. BUSTAMANTE, Mr. DAUB, Mr. DELAY, Mr. DYMALLY, Mr. EMERSON, Mr. HALL of Ohio, Mr. HAMMERSCHMIDT, Mr. HOLLOWAY, Mrs. JOHNSON of Connecticut, Mr. LA FALCE, Mr. LANTOS, Mr. LEVIN of Michigan, Mr. LOWERY of California, Mr. LUJAN, Mr. LUNGREN, Mrs. MARTIN of Illinois, Mr. MATSUI, Mr. MINETA, Mrs. MORELLA, Mr. MORRISON of Connecticut, Mr. NIELSON of Utah, Mr. OBERSTAR, Mr. OWENS of New York, Mr. PANETTA, Mr. QUILLAN, Mr. RUSSO, Mr. SCHAEFER, Mr. SCHEUER, Mr. SMITH of New Jersey, Mr. STANGELAND, Mr. SYNAR, Mr. TORRICELLI, Mr. VENTO, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. WEBER, and Mr. WOLFE.

H.J. Res. 190: Mr. BROOMFIELD, Mr. GORDON, Mr. GALLO, Mr. DEFazio, Mr. SUNDQUIST, Ms. KAPTUR, Mr. LEWIS of Georgia, Mr. FEIGHAN, Mr. BRUCE, Mr. COLEMAN of Texas, Mr. MOAKLEY, Mr. WEBER, Mr. LIPINSKI, Mr. EVANS, Mr. KEMP, Mrs. COLLINS, Mr. KOSTMAYER, Mr. NOWAK, Mr. WALGREN, Mr. DONNELLY, Mr. PEPPER, Mr. LANTOS, Mr. LENT, Mr. OWENS of Utah, Mr. DURBIN, Mr. McHUGH, Mr. GOODLING, Mr. BONKER, Mr. UDALL, Mr. BERMAN, Mr. COURTER, and Mr. TAUZIN.

H.J. Res. 197: Mr. SPENCE, Mrs. VUCANOVICH, Mr. SHAW, and Mrs. BENTLEY.

H.J. Res. 201: Mr. NEAL, Mr. BOSCO, Mr. DWYER of New Jersey, Mr. DARDEN, Mr. EARLY, Mr. MILLER of California, Mr. KEMP, Mr. NIELSON of Utah, Mr. LOWERY of California, Mr. RODINO, Mr. PICKLE, Mrs. BENTLEY, Mr. STOKES, Mr. MOLINARI, Mr. MURPHY, Mr. PACKARD, Mr. DURBIN, Mr. GEPHARDT, Mr. LEWIS of Florida, Mrs. COLLINS, Mr. HENRY, Mr. DIXON, Mr. WAXMAN, Mr. HUNTER, Mr. DENNY SMITH, Mr. CARR, Mr. KASTENMEIER, Mr. STANGELAND, Mr. MORRISON of Washington, Mr. SAXTON, Mr. WATKINS, Mr. HAYES of Louisiana, Mr. PEPPER, Mr. HALL of Ohio, Mr. LEHMAN of California, Mr. BRENNAN, Mr. MADIGAN, and Mr. TOWNS.

H.J. Res. 207: Mr. BATEMAN, Mr. PICKETT, Mr. BILEY, Mr. SISISKY, Mr. DANIEL, Mr. SLAUGHTER of Virginia, Mr. PARRIS, Mr. BOUCHER, Mr. WOLF, Mr. WISE, Mr. GRAY of Illinois, Mr. SKELTON, Mr. NICHOLS, Mr. MCDADE, Mr. SPRATT, Mr. FASCELL, Mr. ROE, Mr. LEVIN of Michigan, Mr. BEVILL, Mr. DE LA GARZA, Mr. MURPHY, Mr. CLARKE, Mr. BATES, Mr. WYDEN, Mr. TALLON, Mr. VALENTINE, Mr. ROWLAND of Georgia, Mr. BILIRAKIS, Mr. LEWIS of Florida, Mr. WILSON, Mr. MRAZEK, Mr. ROEMER, Mr. HARRIS, Mr. PRICE of North Carolina, Mr. RAY, Mr. JONES of Tennessee, Mr. HATCHER, Mr. DARDEN, Mr. STALLINGS, Mr. BUSTAMANTE, Mr. LOWRY of Washington, Mr. JEFFORDS, Mr. SKEEN, Mr. GRANT, Mr. MONTGOMERY, Mr. DEFazio, Mr. SMITH of Florida, Mr. HOYER, Mr. BRUCE, Mr. ANDREWS, Mr. STAGGERS, Mrs. BOGGS, Mr. JOHNSON of South Dakota, Mr. MAVEROULES, Mr. THOMAS of Georgia, Mr. ROSE, Mr. JENKINS, Mr. JONTZ, Mr. GREEN, Mr. MOLLOHAN, Mr. ORTIZ, Mr. ROBINSON, Mr. CARPER, Mr. TORRES, Mr. MOODY, Mr. OWENS of Utah, Mr. McCLOSKEY, Mr. LAGOMARSINO, Mr. SHUMWAY, and Mr. LIPINSKI.

H. Con. Res. 6: Mr. STUMP.

H. Con. Res. 15: Mr. MacKAY, Mr. FLORIO, and Mr. EMERSON.

H. Con. Res. 32: Mr. BROWN of California.

H. Con. Res. 51: Mr. BOULTER, Mr. ROSE, and Mr. ECKART.

H. Con. Res. 70: Mr. TOWNS.

H. Res. 138: Mr. HAYES of Illinois, Mr. MANTON, and Mr. WHEAT.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

28. By the SPEAKER: Petition of the Secretary General, North Atlantic Assembly, Brussels, Belgium, relative to a copy of the brochure "Annual Report and Policy Recommendations 1986"; to the Committee on Foreign Affairs.

29. Also, petition of the executive director, American Library Association, Chicago, IL, relative to the Office of Management and Budget's proposed privatization of the National Technical Information Service; to the Committee on Government Operations.

30. Also, petition of the City Council, City of the Colony, TX, relative to laws to discourage the sale of drugs to children; to the Committee on the Judiciary.

31. Also, petition of the secretary-treasurer, the American Bandmasters Association, Arlington, TX, relative to the Nation's official march; to the Committee on Post Office and Civil Service.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1827

By Mr. BURTON of Indiana:

Page 29, line 8, strike out "\$50,000,000" and all that follows through "(b)" in line 22.

Page 29, line 4, insert "(a)" before "Of the"; page 30, line 3, strike out "(c)" and insert in lieu thereof "(b)"; line 4, strike out "(b)" and insert in lieu thereof "(a)"; line 8, strike out "(d)" and insert in lieu thereof "(c)"; and line 18, strike out "(e)" and insert in lieu thereof "(d)".